



To: General Purposes Committee
From: W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
Re: **Sento Enterprises Ltd., doing business as**
Take Sento Japanese Restaurant
Unit 2130 - 8391 Alexandra Road

Date: August 8, 2011

File:

Staff Recommendation


That the *application* by Sento Enterprises Ltd., doing business as Take Sento Japanese Restaurant, for an amendment to increase the hours of liquor service under Food Primary Liquor License No. 304341 *from* Monday to Sunday 11:00 a.m. to 12:00 a.m. *to* Monday to Sunday 11:00 a.m. to 2:00 a.m., 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 through a community consultation process and considered.
 - c. The amendment to permit extended hours of liquor service under the Food Primary Liquor License should not change the establishment so that it is operated in a manner that is contrary to its primary purpose as there has been no history of non-compliance with this operation.
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:
- a. 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.

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

Att.

FOR ORIGINATING DEPARTMENT USE ONLY			
ROUTED TO:		CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law		Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
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 amendment application submitted to the City of Richmond, by Annie Ng, owner of Sento Enterprises Ltd., doing business as Take Sento Japanese Restaurant (the “Applicant”), for the following amendment to its Food Primary Liquor Licence No. 304341:

Change hours of sale *from* Monday to Sunday 11:00 a.m. to 12:00 a.m. *to*
Monday to Sunday 11:00 a.m. to 2:00 a.m.

There is no entertainment proposed.

Local government is given the opportunity to provide comments and recommendations to the LCLB with respect to liquor licence applications and amendments. For amendments to food primary licences, the process requires 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
- whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose.

Analysis

The Applicant operates a 45 seat casual style restaurant with a Food Primary Liquor Licence from premises located at Unit 2130 – 8391 Alexandra Road. The location is zoned Auto-Oriented Commercial (CA) and the business use of a restaurant is consistent with the permitted uses for this zoning district.

The restaurant features a Japanese food menu and is located in a commercial shopping plaza where there are 10 restaurants, an eye doctor and a hair salon in operation. The Applicant is surrounded to the east, west and south by commercial business complexes. To the north of the Applicant is a residential district. (Attachment 1)

The Applicant was issued a Business Licence in April of 2011 after compliance was achieved with zoning, building and health bylaw requirements. This licence is valid until April 1, 2012.

The letter of intent submitted by the Applicant states that a number of patrons are employees that work at surrounding businesses which close at 11:00 p.m. or later and they frequent her establishment for a late night dinner or snack. The Applicant indicates she would like to be able to offer these late night patrons the choice of having a drink with their meal.

Summary of Application & Comments

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 processing liquor applications or amendments the City's procedure is to send letters on behalf of the Applicant to businesses, residents and property owners within a 50-metre radius of the establishment (Attachment 2). The letter provides details of the proposed liquor licence application and requests the public to communicate any concerns to the City.

Following is a summary of the application process and dates:

ITEM	DETAILS
City of Richmond application received	May 30, 2011
Type	Food Primary Amendment
Location	Unit 2130 – 8391 Alexandra Road
Proposed Hours of Liquor Sales	11:00 a.m. to 2:00 a.m. Monday to Sunday
Zoning	Auto-Oriented Commercial (CA)
Business Owner	Annie Ng
Date Sign Posted	May 30, 2011
Newspaper Publication Dates	May 28, June 4, June 11, 2011
Letters to residents/businesses	June 13, 2011

The public consultation period for the application ended July 15, 2011.

There are 17 property parcels within the consultation area. On June 13, 2011, letters were sent to 103 businesses, residents and property owners to gather their view on the application.

As of July 15, 2011, one response was received from a business operating in the area citing the following;

- there are already a number of businesses within the area with licences that are able to serve alcohol until 2 a.m.
- the restaurant and hospitality industry have taken a hit since the hst and allowing this business to extend it's hours of service will only hurt those already licenced to serve until 2 a.m.

Potential for noise

Staff believe that there would be no noticeable increase in noise if the additional hours of liquor service were supported.

Potential for impact on the Community

Any typical potential impacts associated with extended hours of liquor sales such as drinking and driving, criminal activity and late-night traffic are not expected to be unduly increased with this amendment. Having received only one response from the public consultation process, staff feel that the endorsement of this application is warranted due to the lack of negative public feedback and that the business focus as a food service establishment is to be maintained.

Potential to operate contrary to its primary purpose

Staff is of the opinion that due to a lack of any non-compliance issues related to the operation of this business that there would be little potential of the business being operated in a manner that would be contrary to its main purpose as a food primary establishment.

Other agency comments

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

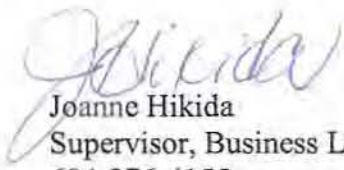
No objections to the application were received from any of the above mentioned agencies and divisions.

Financial Impact

None

Conclusion

Following the public consultation period, staff reviewed the Food Primary Licence amendment application against the legislated review criteria and recommends Council support the amendment to increase liquor service hours, as the amendment is not expected to increase noise or have a negative impact on the community.



Joanne Hikida
Supervisor, Business Licence
604-276-4155



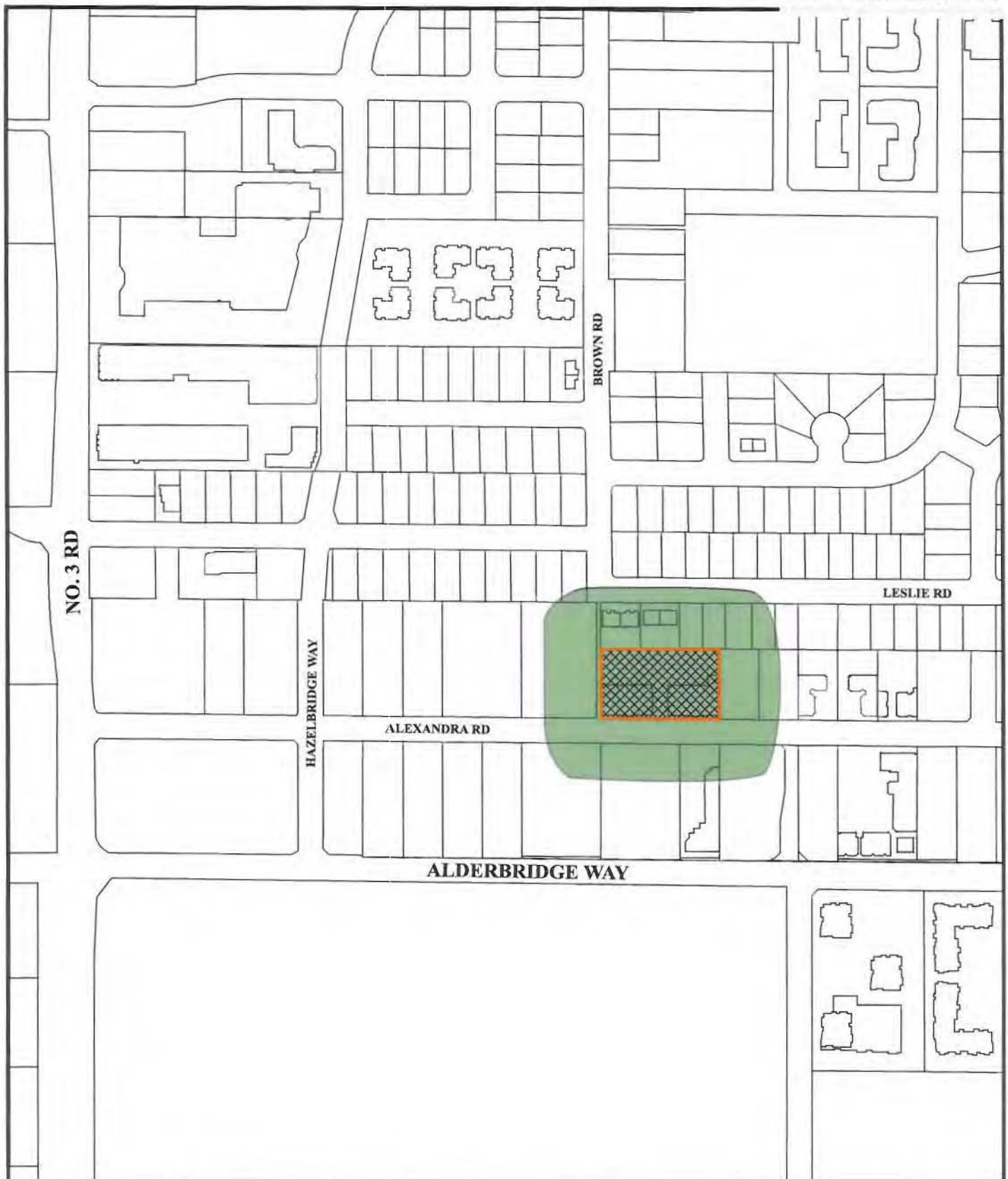
8391 Alexandra Road

GP - 19

Original Date: 08/09/11

Revision Date:

Note: Dimensions are in METRES



8391 Alexandra Road
50 Metre Public Consultation Area

Original Date: 08/09/10

Amended Date:

Note: Dimensions are in METRES