



To: General Purposes Committee **Date:** May 19, 2015
From: W. Glenn McLaughlin **File:**
Chief Licence Inspector & Risk Manager
Re: **Taste Vino Volo Canada Inc., doing business as Vino Volo**
Located in Room 2320.0 Vancouver International Airport, Arrivals

Staff Recommendation

That the application by Taste Vino Volo Canada Inc., doing business as Vino Volo, for a Liquor Primary Licence at 3880 Grant McConachie Way (Vancouver International Airport) in order to offer full liquor service be supported and that a letter be sent to the Liquor Control and Licensing Branch advising that:




- 1) Council recommends the issuance of the proposed liquor licence based in part from the lack of any negative community responses and that the operation will not have a significant impact on the community;
- 2) Council's comments on the prescribed criteria (set out in Section 10(3) of the Liquor Control and Licencing Act Regulations) are as follows:
 - a) The location of the establishment is zoned Airport District and since the property is under Federal jurisdiction, the City does not review or comment on business uses for zoning purposes.
 - b) The proximity of the proposed location to other social or recreational and public buildings was considered. There are no public schools or parks within a 50 meter radius of the proposed liquor primary location.
 - c) That a LCLB application for a 50 person capacity operation with liquor service hours of 9:00 a.m. to 2:00 a.m. was considered.
 - d) That the number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location was considered.
 - e) The potential for additional noise in the area if the application is approved was considered.

- 3) As the operation of the establishment as a liquor licensed establishment might affect nearby residents the City gathered the view of the residents as follows:
 - a) A letter was sent to the Vice President of Community & Environmental Affairs at YVR requesting that a letter of notice of a new liquor primary licence establishment be circulated to other business operations at YVR.
 - b) Signage was also 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 instruction on how community comments or concerns could be submitted.

- 4) Council's comments and recommendations respecting the views of the resident's are as follows:
 - a) There were no responses to all the public notifications and based on the lack of any responses received from the community, Council considers that the application is acceptable to the majority of the community, residents and businesses in the nearby area.



W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
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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.

Local Government is given opportunity to provide comments and recommendations to the LCLB with respect to liquor licence applications and amendments. For new Liquor Primary Licenses’, the process requires that local government in providing comment with respect to the licence application take into account the following criteria:

- 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
- impact of noise on the community and;
- the impact on the community if the application is approved.

If the operation of the establishment as a licenced establishment may affect nearby residents the local government must gather the views of residents.

This report deals with an application submitted to LCLB and to the City of Richmond by Taste Vino Volo Canada Inc., doing business as Vino Volo (the Applicant) to replace their existing Food Primary Liquor Licence with a Liquor Primary licence.

Analysis

The Applicant has been operating two Vino Volo locations at the Vancouver Airport since 2012. One location operates as a restaurant with a food primary liquor licence and the other location is a 50 seat liquor primary lounge. The Applicant is applying to change the restaurant location into a 50 seat liquor primary premise in order to offer a welcoming, social environment where guests are invited to enjoy a variety of beverages and menu items with a focus on wines.

Location of establishment

The proposed establishment will operate in the Arrivals area of the Vancouver International Airport. This establishment will be situated pre-security and will be accessible by both arriving and departing travelers.

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 Applicant has applied to operate from 9:00 a.m. to 2:00 a.m. Monday to Sunday. As the property is under the jurisdiction of the Federal government no City review or approval was given for the 50 person occupant load indicated by the Applicant.

The 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 11 establishments operating throughout the Airport that have a Liquor Primary licence and the majority of clientele for these establishments would be the travelling public.

The impact of noise on the Community

It is not expected that the operation 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
- (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.

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.

The following is a summary of the public notifications:

- Date Sign Posted - April 15, 2015
- Newspaper Publications – April 16, April 23, April 30, 2015
- Letter to Vancouver International Airport, Vice-President Community and Environmental Affairs for distribution to businesses operating within the Airport – April 8, 2015

The period for comment for all public notifications' ended May 17, 2015

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.

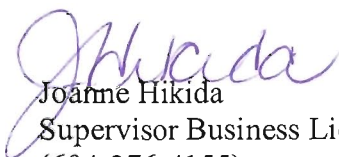
No objections were received.

Financial Impact

If approved a Business Licence re-classification and licence fee re-assessment will be required.

Conclusion

Following the public consultation period, staff reviewed the Liquor Primary Licence application against the legislated review criteria and recommends Council support the application for a 50 person capacity liquor primary facility with operating hours of 9:00 a.m. to 2:00 a.m. as the business is not expected to have a negative impact on the community.



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