



**To:** General Purposes Committee  
**From:** W. Glenn McLaughlin  
Chief Licence Inspector & Risk Manager  
**Re:** **J & B Investment Ltd. doing business as  
Zodiac Karaoke  
Unit 155 - 8291 Alexandra Road**

**Date:** February 22, 2010

**File:**

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**Staff Recommendation**

That the *application* by J & B Investment Ltd., doing business as Zodiac Karaoke, for an amendment to increase the hours of liquor service under Liquor Primary License No. 162535 *from* Monday to Saturday 7:00 p.m. to 2:00 a.m. and Sunday 7:00 p.m. to Midnight *to* Monday to Sunday 7:00 p.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 recommends the amendment of the increase in liquor service hours as no negative comments have been received from the community and 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.
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 100 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. In addition, 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.



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

FOR ORIGINATING DEPARTMENT USE ONLY				
<b>ROUTED TO:</b>		<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>	
Law		Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
RCMP		Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
<b>REVIEWED BY TAG</b>		YES	NO	<b>REVIEWED BY CAO</b>
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## 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 the opportunity to provide comments and recommendations to the LCLB, with respect to liquor licence applications and amendments. For amendments to liquor primary licences, the process requires local government notice and to provide comment 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.

This report deals with an amendment application submitted to LCLB and to the City of Richmond, by Francis Yip, principal of J & B Investment Ltd, doing business as Zodiac Karaoke (the “Applicant”), operating from premises located at Unit 155 – 8291 Alexandra Road, in order *to increase the hours of liquor service* under liquor licence number 162535

**from** Monday to Saturday 7:00 p.m. to 2:00 a.m. and Sunday from 7:00 p.m. to Midnight

**to** Monday to Sunday 7:00 p.m. to 2:00 a.m.

### Analysis

The building at 8791 Alexandra is a 2 level multi-unit structure from where a variety of businesses operate including a dentist, travel agency, insurance agent and cafes. The Applicant holds two business licences, one licence has been issued for a 80 seat restaurant and the second licence has been issued for commercial entertainment in the form of karaoke with a liquor primary licence.

The zoning of the property is Auto-Oriented Commercial (CA) and the uses of a restaurant and commercial entertainment (karaoke) with a liquor primary licence are consistent with the permitted uses for this property.

The building is located on the north side of Alexandra Road with the surrounding area to the south, east and west made up of commercial complexes and to the north of the building is a residential district (Attachment 1).

The Applicant is both the owner and operator of the business and has operated from this location since 1993. The licences are currently valid until January 1, 2011.

The Applicant states that by allowing him to extend his hours of operation he will be able to compete with similar businesses operating in the area.

## 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 "Every **applicant** seeking approval from the **City** in connection with: (b) any of the following in relation to an existing licence to serve liquor, (iii) change of hours, must proceed in accordance with subsection 1.9.2.

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.

The City, on behalf of the Applicant, sends letters to businesses, residents and property owners within a 100-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	January 6, 2010
Type	Liquor Primary Amendment
Location	Unit 155 – 8291 Alexandra Road
Proposed Hours of Liquor Sales	7:00 pm. to 2:00 a.m., Monday to Sunday
Zoning	Auto-Oriented Commercial
Business Owner	Francis Yip
Date Sign Posted	January 5, 2010
Newspaper Publication Dates	January 13, 15, 20, 2010
Letters to residents/businesses	January 20, 2010

The public consultation period for the application ended February 20, 2010.

### *Views of nearby residents, businesses and property owners*

There are 39 property parcels within the consultation area. On January 20, 2010, letters were sent to 135 businesses, residents and property owners to gather their view on the application. No letters were returned as undeliverable.

As of February 22, 2010, no responses have been received from the letters that were mailed to the properties within the consultation area and no community response from the signage posted and notifications published.

### *Potential for noise*

Staff believes that there would be no noticeable increase in noise if the additional 2 hours of liquor service were supported.



*Potential for impact on the Community*

Any typical potential impacts associated to a liquor primary licence such as drinking and driving, criminal activity and late-night traffic are not expected to be unduly increased with this amendment. Having received no response from the community and residents living near the area, staff is of the opinion that the amendment would not have a negative impact on the community.

*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 Permit, Business Licence and Zoning Departments. These agencies generally provide comments on the compliance history of the Applicant's operations and premises.

RCMP commented that in 2009 they attended at the Applicant's premises on 13 occasions, but they were all for minor occurrences and had no issues with the increase in liquor service hours requested by the Applicant.

Vancouver Coastal Health identified that the business has a residential district directly behind it and that the City should ensure the Applicant complies with the Richmond Public Health Bylaw in regards to noise. Vancouver Coastal Health also commented that there were previous non-compliance issues (permitting smoking) with the business.

On November 28, 2009 and again on January 16, 2010, the Richmond Task Force did site inspections at the Applicant's place of business and no infractions were noted.

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

**Financial Impact**

None

**Conclusion**

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

  
Joanne Hikida  
Licence Inspector  
(604-276-4155)

JMH:jmh





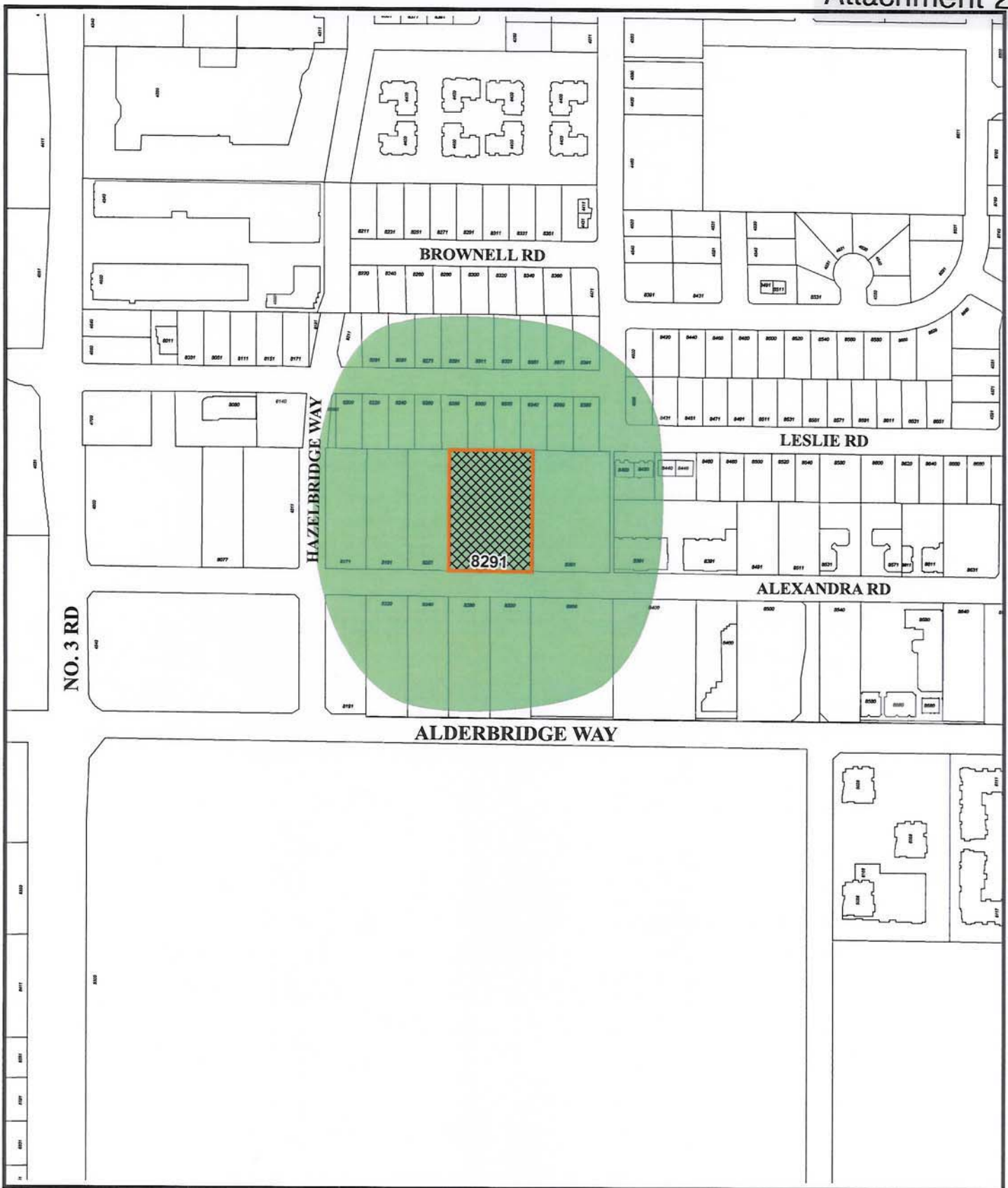
8291 Alexandra Rd

Original Date: 02/23/10

Amended Date:

Note: Dimensions are in METRES





8291 Alexandra Rd

Original Date: 02/23/10

Amended Date:

Note: Dimensions are in METRES