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**To:** General Purposes Committee **Date:** August 12, 2015  
**From:** Cecilia Achiam, MCIP, BCSLA **File:** 12-8275-05/2015-Vol  
Director, Performance and Compliance 01  
**Re:** **Mayfair Lakes Management Corporation, doing business as**  
**Mayfair Lakes Golf Course**  
**5460 No. 7 Road**

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### Staff Recommendation

That the application from Mayfair Lakes Management Corporation, doing business as Mayfair Lakes Golf Course, for an amendment to add a *patron participation endorsement* under Food Primary Licence No.129629, in order to offer entertainment in the form of live bands and recorded music for dancing, be supported and that a letter be sent to the Liquor Control and Licensing Branch advising that:

1. Council supports the amendment of an endorsement for patron participation as the issuance will not pose a significant impact on the community.
2. Council 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 was considered.
  - b. The impact on the community was assessed through a community consultation process.
  - c. Given that there has been no history of non-compliance with the operation, the amendment to permit patron participation under the Food Primary Licence should not change the establishment so that it is operated in a manner that is contrary to its primary purpose as a golf course and food and beverage establishment.
3. As the operation of a licenced establishment may affect nearby residents the City gathered the view of 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. The 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.



Cecilia Achiam, MCIP, BCSLA  
Director, Performance and Compliance  
(604-276-4122)

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

## 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 Rising Tide Consultants on behalf of their client Mayfair Lakes Management Corporation, doing business as Mayfair Lakes Golf Course (the Applicant) for City support to allow patron participation under its Food Primary Liquor Licence No. 129629. The proposed patron participation endorsement will enable customers to be entertained and dance to live and recorded music.

Local Government has been 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,
- the impact on the community; and
- whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose.

### Analysis

The Applicant’s establishment is located in east Richmond and has operated an 18 hole golf course, restaurant and banquet room from 5460 No. 7 Road since 1989.

The zoning for the property is Golf Course (GC) and the business use of a golf course and food and beverage establishments are consistent with the permitted uses for this zoning district. The property is bounded to the north by Highway 91 to the west and east by farmland and to the south by single family residential housing.

The letter of intent submitted by the Applicant indicates that they are requesting the patron participation endorsement to enable them to offer entertainment to their clients and that the endorsement will not impact the community nor will the business be operated contrary to its primary purpose of a golf club and restaurant.

### Summary of Application and Comments

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 on May 20, 2015, and the three ads were published in a local newspaper May 21, 28 and June 4, 2015.

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 35 properties identified within the consultation area. On May 21, 2015, letters were sent to 45 residents and property owners to gather their view on the application.

All public consultations ended June 26, 2015, and no responses were received from the public.

#### Potential for Noise

Staff believe that there would be no noticeable increase in noise if the entertainment endorsement is supported.

Potential for Impact on the Community

Based on the lack of any negative public feedback staff is of the opinion that there would be no impact on the community associated with the amendment.

Potential to operate contrary to its primary purpose

Staff are of the opinion that due to a lack of any non-compliance issues related to the operation of this business, there would be minimal potential of the business being operated in a manner that would be contrary to its primary purpose.

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 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 Liquor Licence amendment application against the legislated review criteria and recommends City Council support the application for a patron participation endorsement. The amendment is not expected to increase noise or have a negative impact on the community nor result in the Applicant operating the business contrary to its primary purpose.



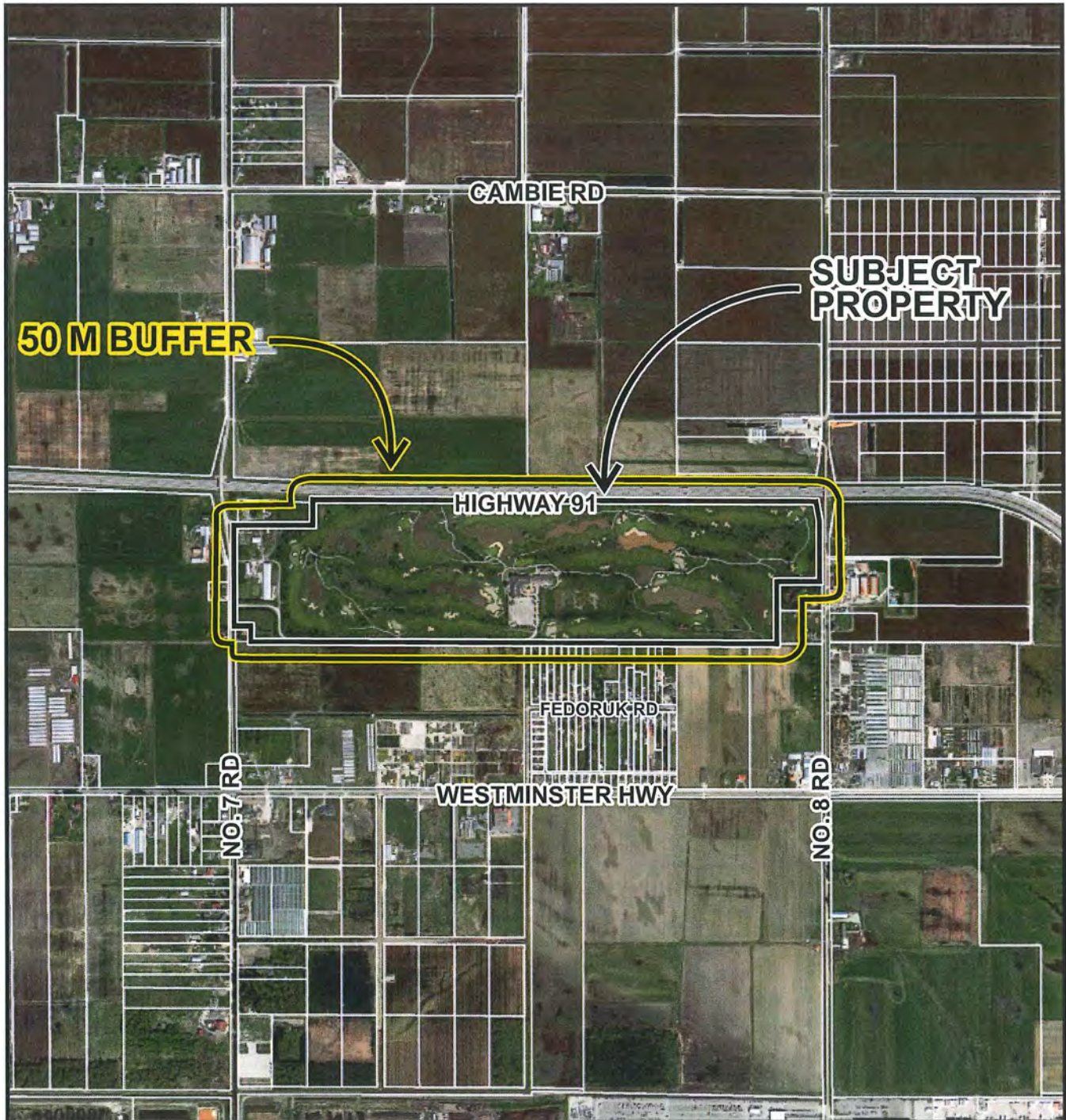
Joanne Hikida  
Supervisor Business Licence  
(604-276-4155)

JMH:jmh

Att. 1: Site Map with 50 metre buffer



City of  
Richmond



5460 No. 7 Road

Original Date: 08/12/15

Revision Date:

Note: Dimensions are in METRES

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