



To: General Purposes Committee **Date:** November 2, 2016
From: Carli Edwards, P.Eng.
Chief Licence Inspector **File:** 12-8275-30-001/2016-
Vol 01
Re: **Application to Amend Brewery Lounge Endorsement Licence - Fuggles & Warlock Craftworks Ltd - 103-11220 Horseshoe Way**

Staff Recommendation

1. That the application from Fuggles & Warlock Craftworks Ltd., for an amendment to increase their hours of liquor service under Brewery Licence No. 306677 from 11:00 a.m. to 9:00 p.m. Monday to Sunday to 11:00 a.m. to 12:00 a.m. Monday to Sunday, be supported and that a letter be sent to the Liquor Control and Licensing Branch advising that:
 - a) Council supports the amendment for an increase in liquor service hours as the increase will not have a significant impact on the community;
 - b) Council's comments on the prescribed criteria (set out in Section 53 of the Liquor Control and Licensing Regulations) are as follows:
 - i) The potential for additional noise and traffic in the area was considered;
 - ii) The impact on the community was assessed through a community consultation process; and
 - iii) Given that there has been no history of non-compliance with the operation, the amendment to permit extended hours of liquor service under the Brewery Licence should not change the establishment such that it is operated contrary to its primary purpose as a Brewery;
 - c) As the operation of a licenced establishment may affect nearby properties, the City gathered the view of the residents, businesses and property owners as follows:
 - i) 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; and

- ii) 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; and
- d) Council's comments and recommendations respecting the view of the residents are as follows:
 - i) 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.

Carli Edwards, P.Eng.
Chief Licence Inspector
(604-276-4136)

Att. 1

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

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 to the LCLB and the City of Richmond by, Fuggles & Warlock Craftworks Ltd., for the following amendment to its Brewery Licence No. 306677:

To change the hours of liquor sales from Monday to Sunday, 11:00 a.m. to 9:00 p.m.; to 11:00 a.m. to 12:00 a.m., Monday to Sunday.

There is no change to the occupant load of 50 patrons.

The City of Richmond is given the opportunity to provide comments and recommendations to the LCLB with respect to liquor licence applications and amendments. For a permanent amendment to a Brewery Licence, the process requires the 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

Fuggles & Warlock Craftworks Ltd. has been through a series of approval processes related to zoning and to provincial liquor licencing. As a result, they have been issued the following business licences from the City of Richmond:

- Business licence to operate a brewery, issued in November 2015;
- Business licence for retailing beer, issued in April 2016; and
- Business licence for a lounge with 50 patrons, issued in April 2016.

In order to make a permanent change to the operating hours of their Brewery Licence, they must make a separate application to the LCLB which initiates a process to seek local government approval. The applicants request for extended liquor service hours is in order to better serve their clients.

The property where Fuggles & Warlock Craftworks Ltd. operates is zoned Industrial Business Park (IB1), and the use, specific to this property, is permitted in this zoning district. The applicant's business is located on Horseshoe Way in an Industrial area.

Summary of Application and Comments

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:

- (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 September 15, 2016 and three advertisements were published in the local newspaper on September 14, 16 and 21, 2016.

In addition to the advertised public notice requirements set out in Section 1.8.1, staff sent letters to businesses, residents and property owners within a 50 meter radius of the property (Attachment 1). There are nine parcels and 95 properties identified within the consultation area. On September 8, 2016, letters were sent to 113 residents and property owners to gather their view on the application.

The public consultation period ended October 14, 2016, and no responses were received from the public.

Potential for Noise

Staff do not believe there would be any noticeable increase in noise if the additional hours of liquor sales 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. 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 the rise in public enjoyment of microbreweries and 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 Inspection Team and the City Building Permit and Business Licence Departments. These agencies generally provide comments on the compliance history of the applicant's operations and premises.

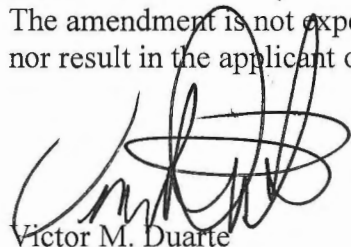
No objections to the application were received from any of the above mentioned agencies and divisions.

Financial Impact

None.

Conclusion

Following the public consultation period, staff reviewed the application for a permanent change to hours of liquor service under the brewery licence against the legislated review criteria and recommends that City Council support the application for a permanent change to liquor service. 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.

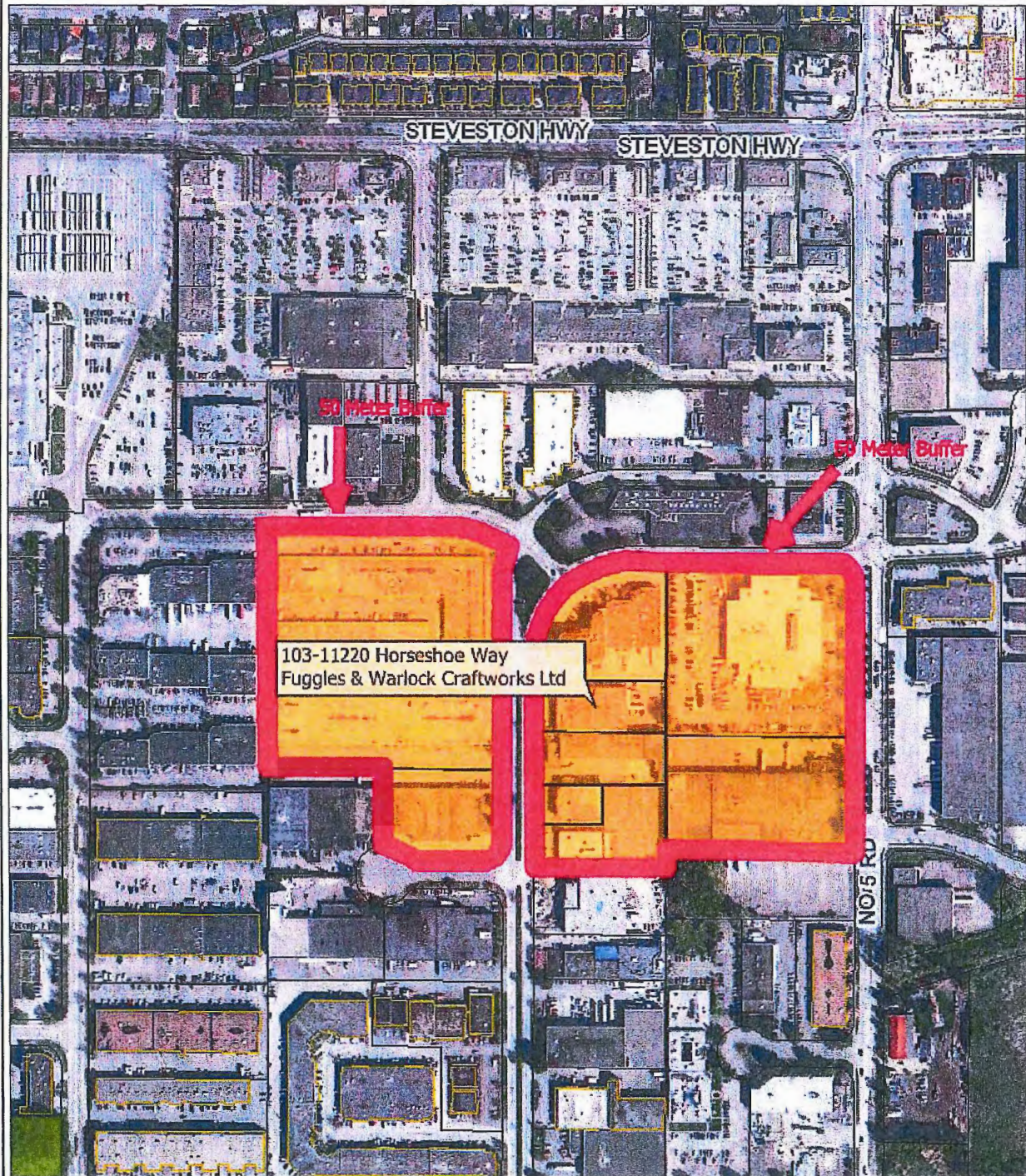


Victor M. Duarte
Supervisor, Business Licence
(604-276-4389)

VMD:vmd

Att. 1: Site Map with 50 metre buffer

City of Richmond Interactive Map



198.4 0 99.20 198.4 Meters

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

© City of Richmond

THIS MAP IS NOT TO BE USED FOR NAVIGATION