



To: General Purposes Committee **Date:** April 27, 2021
From: Cecilia Achiam **File:** 12-8275-30-001/2021-
 General Manager, Community Safety Vol 01
Re: **Application To Amend Liquor Primary Liquor Licence # 307706 From Monkey 9 Brewing Pub Corp Doing Business As: Monkey 9 Brew Pub - 180 - 14200 Entertainment Blvd.**

Staff Recommendation

1. That the application from Monkey 9 Brewing Pub Corp., doing business as, Monkey 9 Brew Pub, for an amendment to Liquor Primary Licence # 307706 to request an increase to the occupant capacity by 260 persons at 180 – 14200 Entertainment Blvd., be supported for:
 - a) Total person capacity to be amended and set at 460 persons;
 - b) No changes to the hours of service currently set at Monday to Sunday, from 10:00 AM to 2:00 AM; and
2. That a letter be sent to the Liquor and Cannabis Regulation Branch, which includes the information attached as Appendix A, advising that Council recommends the approval of the licence amendment for the reasons that this amendment has been determined, following public consultation, to be acceptable in the area and community.

Cecilia Achiam
General Manager, Community Safety
(604-276-4122)

Att. 5

REPORT CONCURRENCE	
SENIOR STAFF REPORT REVIEW	INITIALS:
APPROVED BY CAO 	

Staff Report

Origin

The Provincial Liquor and Cannabis Regulation Branch (LCRB) 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 LCRB and the City of Richmond by Monkey 9 Brewing Pub Corp., doing business as Monkey 9 Brew Pub, (hereinafter referred to as “Monkey 9 Brew Pub”) for an amendment to the Liquor Primary Licence.

The City of Richmond is given the opportunity to provide written comments by way of a resolution to the LCRB with respect to the liquor licence applications and amendments. For an amendment to the Liquor Primary Licence, the process requires the local government to provide comments with respect to the following criteria:

- The location of the establishment;
- The proximity of the establishment to other social or recreational and public buildings;
- The person capacity and hours of liquor service of the establishment;
- The impact of noise on the community in the immediate vicinity of the establishment;
- and
- The general impact on the community if the application is approved.

This report supports Council’s Strategic Plan 2018-2022 Strategy #7 A Supported Economic Sector:

Facilitate diversified economic growth through innovative and sustainable policies, practices and partnerships.

Analysis

Location of Establishment

This application relates to Monkey 9 Brew Pub, who operates a licensed restaurant as well as a ten and five pin bowling centre under the business name of Lucky 9 Lanes. Both are situated at 14200 Entertainment Blvd. Unit 150 & 180.

The property is zoned Entertainment and Athletics (CEA) with the following relevant permitted uses respective to this application:

- Liquor primary establishment;
- Restaurant; and
- Recreation indoor.

The Monkey 9 Brew Pub is situated in a commercial use area focusing on sports and entertainment. There are approximately 21 businesses covering a wide footprint. The largest, being a movie theatre followed by a City operated skating arena and swimming pool. The businesses in this area range

from entertainment, sports, indoor recreation, retail shops and restaurants. There is also a residential complex east of the Monkey 9 Brew Pub.

The bowling alley and restaurant have been operating in this location since 1997 and under the Monkey 9 Brew Pub ownership since November 2016. Since the change of ownership, no issues have arisen regarding non-compliance in respect to City bylaws or Liquor Licence Regulations.

The overall footprint of the bowling establishment and the Monkey 9 Brew Pub will remain unchanged other than the licenced service areas. The increase to the person capacity will not alter from the current occupant load set for the Monkey 9 Brew Pub.

Proximity of the Establishment to Other Social, Recreational and Public Building

There are no schools or parks within 500 metres from the Monkey 9 Brew Pub. There are two recreational buildings, Watermania and Richmond Ice Centre, situated in the vicinity of the Monkey 9 Brew Pub. There is also one other liquor primary establishment within the vicinity of the establishment.

Person Capacity and Hours of Liquor Service of the Establishment

The Monkey 9 Brew Pub is seeking approval for an increase to in-person capacity for the existing Liquor Primary Licence currently set at 145 persons indoor, plus two outdoor patios that accommodate 55 persons, for a total of 200 persons. The proposed increase will add the bowlers' sitting area, set at 160 persons, and the bowling lanes concourse area, set at 100 persons, for a total of 460 persons for the entire facility. The 100 seats in the bowlers' concourse area is currently covered by a food primary licence but this application seeks to replace the current licencing with a liquor primary licence. . The bowlers' sitting area is not currently covered under any liquor licence.

The applicants operating hours of liquor service will be unchanged and is currently set at Monday to Sunday, 10:00 AM to next day 2:00 AM, which is consistent with City's Policy 9400.

The Impact of Noise on the Community in the Immediate Vicinity of the Establishment

The establishment's location is situated in the entertainment district with various athletics and recreational facilities within the area. There are also other restaurants and businesses frequently visited by the public. There have been no reported issues for the Monkey 9 Brew Pub. The increased in-person capacity is a change to service area only and no change to the business footprint or current occupant load. Based on this assessment, the noise level is not a concern due to the location of the establishment.

Summary of Community Consultation Process and Comments

The City's community consultation process for reviewing applications for liquor-related licences is prescribed by the Development Application Fees 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*;

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 March 16, 2021 and three advertisements were published in the local newspaper on March 18, 2021, March 25, 2021 and April 1, 2021.

In addition to the advertised signage and public notice requirements, staff sent letters to businesses, residents and property owners within a 50 meter radius of the new establishment. On March 17, 2021, a total of 334 letters were mailed out to businesses, residents and property owners. The letter provided information on the proposed liquor licence amendment and contained instructions to comment on the application. The period for commenting for all public notifications ended April 16, 2021.

Based on the community consultative process described, the City has received one response opposed to this application. The concerns of the complaint pertains to vehicle traffic and car racing in the parking lot (Attachment 1).

Two responses were received on the notice letters mailed out with acceptance of the application and signatures (Attachment 2).

All feedback and responses have been analyzed and staff conclude that these concerns can be mitigated by the operator continuing to follow the terms and conditions of the Liquor and Cannabis Regulation Branch. In addition, existing municipal Bylaws, along with regular inspections and enforcement, are sufficient to further mitigate the public's concerns with this application.

Other Agency Comments

As part of the review process, staff requested comments from other agencies and departments such as Vancouver Coastal Health, the Richmond RCMP, Richmond Fire-Rescue and the Liquor & Cannabis Regulation Branch. These agencies and departments generally provide comments on the compliance history of the applicant's operations and premises. All of the agencies and departments expressed no concerns regarding this application.

Financial Impact

None.

Conclusion

The results of the community consultation of the Monkey 9 Brew Pub Liquor Primary Licence amendment application was reviewed based on the LCRB criteria. The assessment concluded there is no potential impact from noise, no significant general impact in the community and no concerns raised by Richmond Fire-Rescue or other agencies. The Monkey 9 Brew Pub has operated since 2016 with the same footprint with no issues. Based on the aggregate of these factors, the application to amend the Liquor Primary Licence with increase in-person capacity to 460 persons and no change to the liquor service currently set at Monday to Sunday from 10AM to next day 2 AM, is recommended.



Carli Williams, P. Eng.
Manager, Business Licence and Bylaws
(604-276-4136)

- Att. 1: Appendix A
- 2: Letter of Intent
- 3: Aerial Map with 50m buffer area
- 4: Notice of Opposition
- 5: Notice of Support

Appendix A

Re: Application for an Amendment to Liquor Primary Liquor Licence # 307706 – Monkey 9 Brewing Pub Corp. Doing Business As: Monkey 9 Brew Pub – 180-14200 Entertainment Blvd., Richmond BC

1. That the amendment application from Monkey 9 Brewing Pub Corp., operating at, 180-14200 Entertainment Blvd., requesting an increase to the person capacity by 260 persons, be supported for:
 - a) A total person capacity to be amended and set at 460 persons;
 - b) Hours of Liquor service to remain the same as currently permitted as, Monday to Sunday, from 10:00 AM to 2:00 AM.
2. That a letter be sent to Liquor and Cannabis Regulation Branch advising that:
 - a) Council supports the applicants request to amend the Liquor Primary Licence application, and the hours of liquor service remaining the same;
 - b) The total person capacity set at 460 persons is acknowledged;
3. Council's comments on the prescribed criteria (Section 71 of the Liquor Control and Licencing Regulations) are as follows:
 - a) The impact of additional noise and traffic in the area of the establishment was considered;
 - b) The potential impact on the community was assessed through a community consultation process; and
 - c) Given that this is an amendment to an existing establishment, there is no history of non-compliance with this establishment;
 - d) As the operation of a licenced establishment may affect nearby residents, businesses and property owners, the City gathered the views of the community through a community consultation process as follows:
 - i) Residents, businesses and property owners within a 50 meter radius of the establishment were notified by letter. The letter provided information on the application with instructions on how to submit comments or concerns; and
 - ii) Signage was posted at the subject property and three public notices were published in a local newspaper. The signage and public notice provided information on the application with instructions on how to submit comments and concerns.

- e) Council's comments on the general impact of the views of residents, businesses and property owners are as follows:
 - i) The community consultation process was completed within 90 days of the application process; and
 - ii) The community consultation process determined only one comment received opposed to this application and two comments received in support from residents, businesses and property owners.
- f) Council recommends the approval of the licence amendment application with the increase of person capacity of 260 persons for a total of 460 person capacity, with no change to the hours of liquor service to 2AM, for the reasons that this amendment application to Liquor Primary Licence is acceptable to the majority of the residents, businesses and property owners in the area and community.



April 1, 2021

VIA ONLINE PORTAL

Business Licenses
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

AND

Licensing
Liquor and Cannabis Regulation Branch
400 – 675 Tye Road
Victoria, B.C. V9A 0B4

To Whom it may concern:

RE: Structural Change applications for Food Primary Licence #307260 and Liquor Primary licence #307706
AT: Lucky 9 Lanes/Monkey 9 Brew Pub., 180-14200 Entertainment Blvd
APPLICANT: Monkey 9 Brewing Pub Corp.

The writer is assisting the above noted applicant with a request to the Liquor and Cannabis Regulation Branch for an increase in capacity to the existing Liquor Primary Licence at Monkey 9 Brew Pub, in Richmond.

The applicant is proposing to add the Bowlers' sitting area of Lucky 9 Lanes Bowling Centre to the existing Liquor Primary licence, held by Monkey 9 Brewing Pub Corp. They are also proposing to transfer the Concourse area of the Lucky 9 Lanes Bowling Centre, which is currently part of the existing Food Primary Licence (FP Licence# 307260) to the existing Liquor Primary Licence under Monkey 9 Brewing Pub. You will note the Food Primary licence (FP# 307260) is associated with Lucky 9 Lanes Bowling Centre and the Liquor Primary licence (LP# 307706) is associated with Monkey 9 Brew Pub, however both licenses are issued to the same Licensee, Monkey 9 Brewing Pub Corp. and both establishments share the same physical address. There is access to Monkey 9 Brewing Pub from two points inside the Lucky 9 Lanes Bowling centre.

Therefore, we are submitting a Liquor Primary Structural Change application to request approval for an increase in capacity to the existing Liquor Primary licensed area (LP Licence# 307706). We are also submitting a companion application to the Liquor and Cannabis Regulation Branch to decrease the capacity of the Lucky 9 Lanes' Food Primary licensed area by removing the Concourse and transferring it to the

Attachment 2

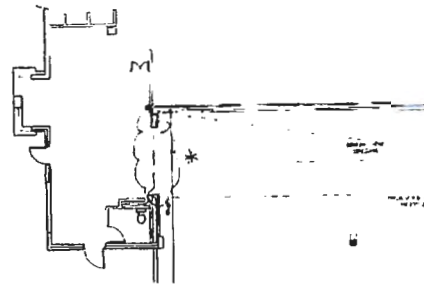
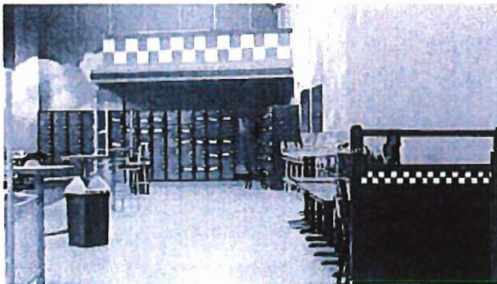
existing Liquor Primary licence at Monkey 9 Brewing Pub.

Along with the above noted Structural Change applications, we will also submit the application for a Recreational Endorsement, so that pending approval of the Structural change applications, unaccompanied minors may be permitted to stay in the Liquor Primary Bowler's sitting area and Concourse area. Minors will continue to be permitted in the licensed area of the Monkey 9 Brew Pub, until 10pm when accompanied by a parent or guardian.

The increase in capacity for the licensed establishments will have benefits to the community as it will allow the Licensee to better serve the general population and further diversify the venue for tourists and regular patrons. Upon approval, this change will also provide an added revenue stream for the Licensee, as well as a source of additional tax revenue for the City of Richmond and the Province of BC.

It is important to note, the physical footprint of the Lucky 9 Lanes bowling Centre and Monkey 9 Brew Pub, upon approval, will remain unchanged. To date, Lucky 9 Lanes and Monkey 9 Brewing have maintained a positive record with the City of Richmond, the local RCMP detachment as well as the Liquor and Cannabis Regulation Branch. The Licensee does not envision any adverse impacts to the community as a result of these changes or the increased capacity of the proposed Liquor Primary licensed area. Indeed, it will have very positive impacts and benefits, as previously mentioned.

A wall that used to pass through to other shops within the building has since been closed off by a full height wall and with no access to the outside. This wall is located on the far left side of the attached floor plan, circled in red.



The specific occupancy details of these changes are as follows:

- Both licenses are issued to Monkey 9 Brewing Pub Corp.. The Food Primary is located within the Lucky 9 Bowling Centre and the Liquor Primary is located within the Monkey 9 Brew Pub. Both existing licenses are located within the same building and at the same civil address, in Richmond.
- The Food Primary licensed areas consist of a small banquet room with a capacity of 27 Persons and the bowling Concourse area, a capacity of 100 Persons. We are not proposing any changes to the 27 Person banquet room, at this time.
- The existing Liquor Primary licence has an existing interior capacity of 145 Persons within the



Monkey 9 Brewing Pub and two adjacent patios of 25 Persons and 30 Persons. We are not proposing any changes to these existing areas, at this time. (LCRB currently approved floor plan attached for reference).

- The existing licenses do not include the bowlers' sitting areas, which consists of table & chairs configurations for four people at each lane and providing a place where participating bowlers can sit between turns. The occupant load for the Bowlers' sitting area is 160 persons.
- A companion Food Primary Structural Change application will be submitted to the LCRB along-side this Liquor Primary Structural Change, in order to decrease the current Food Primary licensed area capacity by 100 Persons upon approval to transfer the 100-person Concourse area to the existing Liquor Primary licence.
- Upon the completion of these companion Structural Change applications, the existing Liquor Primary licence will result in an increased capacity of 260 Persons (100 persons for the Concourse and 160 persons for the Bowlers' seating area). Pending approval, the total capacity of the updated Liquor Primary licensed area will be 460 persons.

To support this application, the following documentation will be submitted:

- Copies of the proposed floor plans, stamped by local government;
- Photos of the application signage and local newspaper ads, as required by the City of Richmond's public notification process.
- A companion Food Primary Structural Change application will also be submitted to remove the Concourse from the existing Food Primary licence (No. 307260) at the same location.

Please do not hesitate to contact me, if you require any further information.

Yours truly,

RISING TIDE CONSULTANTS LTD.

A handwritten signature in black ink, appearing to read "Christina Beehler".

Christina Beehler | Liquor Licensing Specialist
christina@risingtideconsultants.ca
p: 604.669.2928



4/29/2021, 2:32:32 PM

Lines

- Override 1
- Override 2

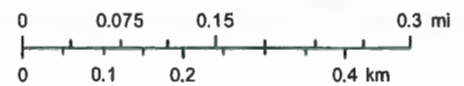
Points

- Override 1

Areas

- Override 1

1:9,028



From: kenneth lau [mailto:kennethlau@mail.com]
Sent: March 24, 2021 09:29
To: Duarte,Victor
Subject: Re: RE: Amendment exiting license #307706

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Hi Victor,

I like to oppose this admendment as we found there are car racing in the parking lot.

My telephone number is 604-313-3018

Kenneth Lau 303-14100 Riverport Way, Richmond, B.C. V6W 1M3

The above info just for yoyp record purpose.

Thanks,

Regards

Kenneth Lau

Sent: Wednesday, March 24, 2021 at 11:30 PM
From: "Duarte,Victor" <VDuarte@richmond.ca>
To: "kennethlau@mail.com" <kennethlau@mail.com>
Subject: RE: Amendment exiting license #307706

Hello Kenneth,

The seating capacity is not going to change the maximum seating capacity will remain the same and the hours of service will remain the same. This business has a Food Primary Liquor Licence and a Liquor Primary Licence and they are converting seats from one to the other. The standards of the business operations should not change any more than how they are currently operating.

Please let me know if you still want to be included as opposed to this application. I will need your, name address and telephone number for the record.



City of Richmond

6911 No. 3 Road
Richmond, BC V6Y 2C1
www.richmond.ca

March 17, 2021

**Community Safety Department
Business Licences**
Telephone: 604-276-4328
Fax: 604-276-4157
Email: BusLic@richmond.ca

BEVANDICK MURIEL M
14100 RIVERPORT WAY #102
RICHMOND BC V6W 1M3

Re: Notice of an Amendment to Existing Liquor Primary Licence # 307706 Application in Your Neighbourhood

This notice serves to advise you of an application received by the Liquor Control and Licensing Branch and by the City of Richmond to amend the Liquor Primary Licence # 307706.

An application has been received from: Monkey 9 Brewing Pub Corp., doing business as: Monkey 9 Brew Pub, operating from premises located at 180-14200 Entertainment Blvd., Richmond, BC.

The intent of the application is to amend the existing Liquor Primary Licence # 307706 and increase the occupant capacity by 260 persons and decrease the Food Primary Liquor Licence occupant capacity by 260 Persons.

The total person capacity proposed to be amended and will be set at 460 persons.

You are receiving this notice because you own property, own a business, or reside near the establishment that is applying for the proposed amendment.

A copy of this application may be viewed Mondays to Fridays from 8:15 am to 5:00 pm at Richmond City Hall, 6911 No. 3 Road. You may comment on this application by writing to:

CITY OF RICHMOND
BUSINESS LICENCES
LIQUOR LICENCE APPLICATIONS
6911 NO. 3 Rd
RICHMOND BC V6Y 2C1

To ensure the consideration of your views, your written comments must be received on or before, **April 16, 2021**. Your name and address and telephone number must be included on your comments.

Petitions will not be considered in the review process.

Please note that your comments may be made available to the applicant where disclosure is necessary to administer the licensing process. If you have further questions on this matter, please contact writer at 604-276-4389.

Yours truly,

Victor Duarte
Supervisor, Business Licences

VMD:vmd

I am okay with it.
M Bevandick



City of
Richmond

6911 No. 3 Road
Richmond, BC V6Y 2C1
www.richmond.ca

March 17, 2021

Community Safety Department
Business Licences
Telephone: 604-276-4328
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Yours truly,

Victor Duarte
Supervisor, Business Licences

VMD:vmd

*I am fine with this,
NOT A PROBLEM
A. Bevandick*