




To: General Purposes Committee **Date:** October 16, 2017
From: Cecilia Achiam **File:** 12-8275-30-001/2017-
General Manager, Community Safety Vol 01
Re: **Application for a new Liquor Primary Liquor Licence – Lucky 9 Bowling
Centre Ltd, doing business as: Monkey 9 Brew Pub, 180-14200 Entertainment
Blvd.**

Staff Recommendation

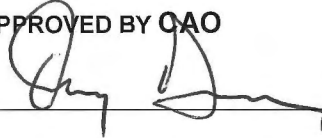
1. That the application from Lucky 9 Bowling Centre Ltd., doing business as, Monkey 9 Brew Pub, for a new Liquor Primary Liquor Licence to operate a brew pub, at premises located at 180-14200 Entertainment Blvd. be supported for:
 - a) A new Liquor Primary Liquor Licence with the primary business focus on food and liquor service with total person capacity of 200 persons (145 indoor and 55 patio);
 - b) An outdoor bounded patio with capacity of 55 persons;
 - c) Liquor service hours from Monday to Sunday, from 10:00 AM to next day 2:00 AM.

2. That a letter be sent to Liquor Control and Licensing Branch advising that:
 - a) The Council supports the applicant's new Liquor Primary Liquor Licence and the hours of liquor service with the conditions as listed above;
 - b) The total person capacity at 145 persons indoor and 55 persons for the outdoor patio is acknowledged;
 - c) The Council's comments on the prescribed criteria (section 71 of the Liquor Control and Licensing Regulations) are as follows:
 - i) The impact of noise and traffic in the vicinity of the establishment was considered;
 - ii) The general impact on the community was assessed through a community consultation process;
 - iii) Given that this is a new business, there is no history of non-compliance with this operation.
 - d) As the operation of a licenced establishment may effect nearby residents, businesses and property owners, the general impact assessment was conducted through the City's 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 establishment 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 or concerns.
- e) The Council’s comments on the general impact of the views of residents, businesses and property owners as follows:
- i) The community consultation process was completed within 90 days of the application process; and
 - ii) The comments and views of residents, businesses and property owners received through the community consultation process were assessed; and
 - iii) The concerns of residents, businesses and property owners received through the community consultation process could be mitigated by existing Bylaws.
- f) The Council recommends the approval of the licence for the reasons that this new application of the liquor primary license is acceptable to the majority of the residents, businesses and property owners in the area and the community.



Cecilia Achiam
 General Manager, Community Safety
 Att. 2

REPORT CONCURRENCE	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: CJ
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.

This report deals with an application to the LCLB and the City of Richmond by Lucky 9 Bowling Centre Ltd., doing business as Monkey 9 Brew Pub (hereinafter referred to as “the establishment”), for a new Liquor Primary Liquor Licence to:

- operate, Monday to Sunday, 10:00 AM to next day 2:00 AM;
- permit a total person capacity of 200 persons, with indoor capacity at 145 persons and outdoor patio at 55 persons; and
- an outdoor bounded patio that is immediately adjacent to the establishment.

The City is given the opportunity to provide written comments by way of a resolution to the LCLB with respect to the proposed Liquor Primary application. Regulatory criteria local government must consider are:

- 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 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.

Analysis

Location of the Establishment

The Liquor Primary License applicant’s establishment is located at 180-14200 Entertainment Blvd., under the business name Monkey 9 Brew Pub. This property is zoned Entertainment and Athletics (CEA) with the following relevant permitted uses respective to this application: liquor primary establishment, microbrewery, winery and distillery, restaurant and recreation indoor.

The establishment will operate out of the existing space of the previous business operated as the Big River Brew Pub. The primary focus of this business is to operate as a brew pub. The establishment will have a full service kitchen featuring a wood stone pizza oven, along with full menu options that feature appetizers, pizzas, burgers, sandwiches and bowl dishes. In keeping the theme of a brew pub, the establishment will have a pool table and a shuffle board table. The business intends to attract customers from the nearby theatre, sports arena and guests staying at the hotel.

This business is under new ownership and as such, there is no history of non-compliance or complaints. The establishment is situated in a commercial use area focusing on sports and entertainment. There are approximately 21 businesses covering a wide footprint. The largest footprint is the movie theatre followed by the City operated skating arena and swimming pool. The businesses in the area range from entertainment, sports, indoor recreation, retail shops and restaurants. There is also a residential complex southeast of this business.

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

There are no schools or parks within 500 metres from the establishment but 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 applicant is proposing to operate Monkey 9 Brew Pub with an occupant load of 200 persons. The applicants proposed operating hours of liquor service are 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, businesses frequently visited by the public. 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 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 September 13, 2017 and three advertisements were published in the local newspaper on September 13, 2017, September 15, 2017 and September 20, 2017.

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 September 13, 2017, a total of 326 letters were mailed out to businesses, residents and property owners. The letter provided information on the proposed liquor licence application and contained instructions to comment on the application. The period for commenting for all public notifications ended October 13, 2017.

Based on the community consultative process described, the City has received one response opposed to this application. The concerns of the complaint pertains to traffic, noise and impaired driving that would affect public safety (Attachment 1).

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

Other Agency Comments

As part of the review process, staff requested comments from other agencies and departments such as Vancouver Coastal Health, Richmond R.C.M.P., Richmond Fire-Rescue and Building Approvals. 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 application were reviewed based on the LCLB criteria. The assessment concluded there is no potential impact from noise, no significant general impact in the community and no concerns raised by City departments or other agencies. The Monkey 9 Brew Pub operates out of the existing space of the previous business operated as the Big River Brew Pub. Based on the aggregate of these factors, the application of the Liquor Primary Licence with liquor service Monday to Sunday from 10AM to next day 2 AM, occupant capacity of 200 persons and an outdoor patio is recommended.



Carli Edwards
Acting Senior Manager, Community Safety Policy & Programs and Licencing
Chief Licence Inspector
(604-276-4136)

- Att. 1: Complaint letter
2: Ariel Map with 50 meter buffer area

Attachment 1

Neil and Gloria McLean
311-14100 Riverport Way,
Richmond BC

October 12, 2017

Lucky 9 pub

Application to extend opening hours

In response to the notice that Lucky 9 pub is requesting extending its opening hours to 2am I raise the following concerns.

- Why here? The location is far from any neighborhoods other than the residents on Riverport Way.
- Late opening hours will attract traffic and noise which will affect the residents on Riverport Way.
- Richmond does not treat this area east of #6 road as an urban area, visually apparent by the lack of maintenance to the Riverport approaches.
- Lucky 9 pub has shown, since opening, little to no attention to creating an appealing streetscape, perhaps falling in with the other vendors on Entertainment Blvd.

Which begs the question – Why? The Entertainment Blvd area is anchored by a cinema complex, a water based sports complex and an ice based sports complex. It is doubtful that many of their patrons will end their evening at a pub. Therefore Lucky 9 must be expecting to attract destination drinkers.

There were two pubs in this area, along with one licensed restaurant. Stanley's Sports Bar and Big River Brewing along with the Old Spaghetti Factory. Stanley's and the Old Spaghetti Factory have survived with a closing time of 11pm and 9pm respectively. Big River Brew pub closed up for some reason, speculations abound, but it is doubtful the reason was not serving between 11pm and 2am.

So, who is Lucky 9 expecting to serve from 11pm to 2am? Will it attract a gambling clientele? Will it lead to more incidents of impaired driving? Accidents? Sleep deprivation for Riverport Way residents?

We cannot see any benefit to the local community and state that we are vehemently opposed to any extension of operating hours beyond 11pm.

Additionally, Richmond council should take a drive by and look at the poor condition of approaches east of #5 road. West of #5 road gets lovely boulevard landscaping and maintenance. East of 5, the sidewalks have not been swept since all the sand was thrown up on them from last winter. Take a look at all the landscaping around the vendors on Entertainment Blvd – they have left over 10 mature trees to die from lack of water and more will not survive. Shrubbery has also expired from lack of care. The water feature at Steveston and Entertainment has not been functional for years. Councilors, you may not live here, but we do, we pay our taxes, we expect sensible municipal government, and a spend rate in our neighborhood commensurate with the tax levy.

From Richmond News <http://www.richmond-news.com/news/richmond-s-only-bowling-alley-guttered-again-1.2342888>

Snip<In September 2015, the entire Riverport Entertainment and Business Park sold for \$103 million to a Real Estate Investment Trust (REIT), according to Avison Young Real Estate. The *South China Morning Post* reported the sale was facilitated by Sun Commercial Real Estate (SunCom), a firm that specializes in “pooling wealthy investors from Vancouver’s Chinese immigrant community.”

Online, SunCom advertised the site as “River White Homes,” despite the fact the properties are zoned commercial (city council would need to approve rezoning).>

Sincerely


Neil McLean


Gloria McLean

Home # 604 295 0775

Neils cel 778 888 7534

Ethoria's cel 778 988 7534

City of Richmond Interactive Map



314.4 0 157.20 314.4 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.