




City of Richmond

Report to Committee


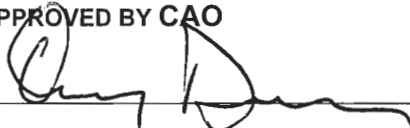
To: General Purposes Committee **Date:** May 7, 2020
From: Cecilia Achiam **File:** 12-8275-30-001/2020-Vol 01
 General Manager, Community Safety
Re: **Application to Request a Food Primary Entertainment Endorsement For Food-Primary Liquor Licence # 051872 - Pacific Gateway Hotel at Vancouver Airport - 3500 Cessna Dr.**

Staff Recommendation

1. That the application from Van-Air Holdings Ltd., doing business as, Pacific Gateway Hotel at Vancouver Airport, operating at 3500 Cessna Drive, requesting a Food-Primary Patron Participation Entertainment Endorsement to Food-Primary Liquor Licence No. 051872, to enable patrons to dance at the establishment, be supported with;
 - a) No change to person capacity currently in place; and
 - b) No change to service hours currently in place.
2. That a letter be sent to the Liquor and Cannabis Regulation Branch, which includes the information attached as Appendix A, advising that Council supports the amendment for a Patron Participation Entertainment Endorsement on Food-Primary Liquor Licence No. 051872 as this request has been determined, following public consultation, to be acceptable in the area and community.


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

Att. 4

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 Van-Air Holdings Ltd., doing business as Pacific Gateway Hotel at the Vancouver Airport, (hereinafter referred to as “Pacific Gateway”) for an amendment to its Food-Primary Liquor Licence No. 051872 to:

- add patron participation entertainment endorsement which must end by midnight;
- maintain the current hours of liquor service; and
- maintain the current total person capacity.

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 a Food-Primary Liquor 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.

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

With the current measures in place to prevent the spread of COVID-19, it is unlikely that the Pacific Gateway will be hosting events that include patron participation. However, the City has completed the public notification process and granting the licence now will allow the business to operate as soon as possible, once permitted by the health regulations.

Pacific Gateway has operated the establishment since 2014. The property is zoned Auto-Oriented Commercial (CA) and the use of a hotel with restaurant, banquet rooms and meeting rooms is consistent with the permitted uses in this zoning district.

Pacific Gateway is requesting a permanent change to add patron participation, which initiates a process to seek local government approval. Their current licencing for total person capacity will remain unchanged at 1388 indoors and 432 outdoors, including staff and patrons.

Pacific Gateway’s request for a patron participation entertainment endorsement is to enable patrons to dance or have karaoke and sing-alongs in the food primary licenced area of the hotel. This would add a greater operational flexibility to Pacific Gateway and an added amenity for patrons

Impact of Noise on the Community

The location of this establishment is such that there should be no noise impact on the community. The patron participation entertainment endorsement must end by midnight and the establishment should not operate contrary to its primary purpose as a food primary establishment.

Impact on the Community

The 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:
 - (a) 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 February 18, 2020 and three advertisements were published in the local newspaper on February 20, 2020, February 27, 2020 and March 5, 2020.

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 establishment. On February 11, 2020, 15 letters were sent to residents, businesses 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 March 23, 2020.

As a result of the community consultative process described, the City has not received any responses opposed to 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 RCMP, Richmond Fire-Rescue, Building Approvals Department and the Business Licence Department. These agencies and departments generally provide comments on the compliance history of the applicant's operations and premises. No concerns were raised by Vancouver Coastal Health, Richmond RCMP, or Building Approvals Department. Richmond Fire-Rescue has relatively minor outstanding issues for the building and one issue with the suppression system however with the COVID-19 virus protocols for the technicians, Pacific Gateway are finding they are unable to have a technician attend. With this in mind, Richmond-Fire Rescue has initiated the development of an interim additional safety protocol program for the property management for the kitchen staff.

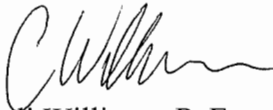
Financial Impact

None.

Conclusion

The results of the community consultation process of Pacific Gateway's application for patron participation entertainment endorsement were reviewed based on LCRB criteria. This process began before the regulations were introduced to prevent the spread of COVID-19. The analysis concluded there should be no noticeable noise impacts, no significant impact to the community and there were no concerns raised by City departments or other agencies other than Richmond-Fire Rescue, which is being addressed. With this in place, staff recommend that Council approve the application from Pacific Gateway to permit a patron participation entertainment endorsement with no changes to the seating capacity or the hours of liquor service permitted. If approved, this endorsement would be available to the Pacific Gateway once health orders allow them to host patrons on site.


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


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

VMD:vmd

- Att. 1: Letter of Intent
2: Appendix A
3: Arial Map with 50 metre buffer area
4: Email From Chief Fire Prevention Officer

**APPLICATION FOR A PATRON PARTICIPATION ENDORSEMENT
ON THE FOOD PRIMARY LICENSE**

AT

**PACIFIC GATEWAY HOTEL AT VANCOUVER AIRPORT
3500 CESSNA DRIVE,
RICHMOND, B.C. V7B 1C7**

APPLICANT: VAN-AIR HOLDINGS LTD

**LETTER OF INTENT
FOR THE APPLICATION FOR A PATRON PARTICIPATION ENDORSEMENT ON THE
FOOD PRIMARY LICENSE NUMBER 051872**

The Applicant Van-Air Holdings Ltd is applying for a Patron Participation Entertainment Endorsement for their food primary license number 051872 at the Pacific Gateway Hotel at Vancouver Airport to enable patrons to dance in the food primary licensed areas of the Hotel and also from time to time have karaoke and singalongs.

The nature of the food primary licensed areas is such that there should be no noise impact on the community and the Hotel will not operate the food primary licensed areas contrary to their primary purpose.

The patron participation entertainment will end at 12 Midnight as required by the Liquor & Cannabis Regulation Branch.

The Pacific Gateway Hotel at Vancouver Airport has a positive record with the Liquor & Cannabis Regulation Branch, the City of Richmond and the Richmond RCMP Detachment.

Having a patron participation entertainment endorsement offers an added amenity for patrons and adds greater operational flexibility to the Pacific Gateway Hotel at Vancouver Airport. The Applicant is requesting this patron participation entertainment endorsement to cover all their food primary licensed areas including The Deck Kitchen & Bar, Ballrooms, Banquet Rooms and Meeting Rooms to offer this added amenity to their patrons both in small parties and in larger parties.

The licensed hours of the food primary licensed areas at the Hotel are from 11 am to 1 am Monday to Saturday and 11 am to Midnight on Sunday.

The Pacific Gateway Hotel at Vancouver Airport does not foresee any adverse impacts on the community with the addition of a Patron Participation Entertainment Endorsement. Indeed, there will be positive benefits of the addition of this patron participation entertainment endorsement as set out above.

All of which is respectfully submitted this 10th day of February, 2020.

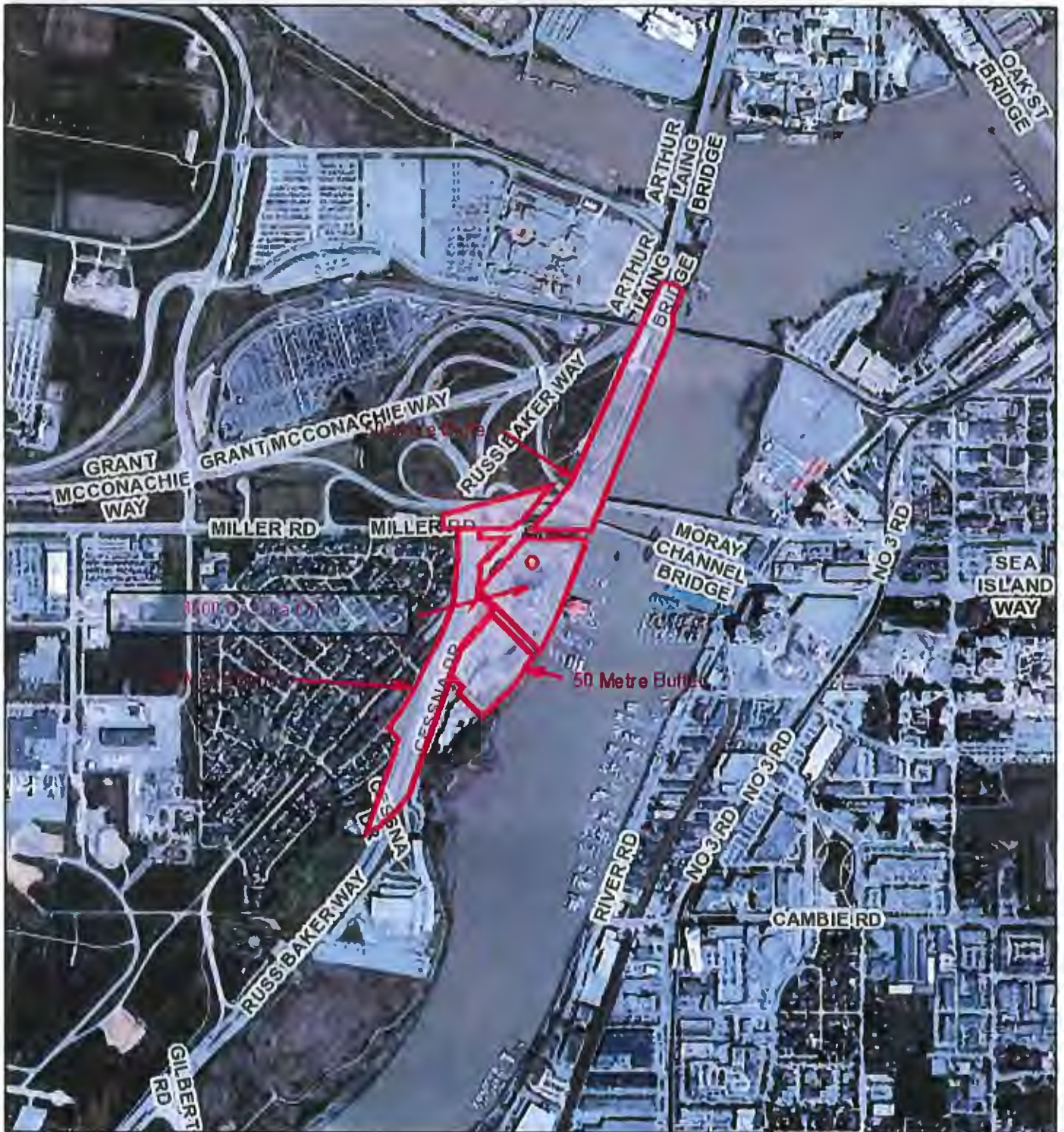
**Rising Tide Consultants
Suite 1620 – 1130 West Pender Street
Vancouver, B.C. V6E 4A4**

Appendix A

Re: Application For A Permanent Change To Food Primary Licence For Patron Participation Entertainment Endorsement – Pacific Gateway Hotel At Vancouver Airport - 3500 Cessna Drive, Richmond BC

1. That the application from Van-Air Holdings Ltd., doing business as, Pacific Gateway Hotels At Vancouver Airport, operating at 3500 Cessna Drive, requesting a permanent change to Food Primary Liquor Licence number 051872 for patron participation entertainment endorsement to enable patrons to dance in the food primary licenced areas of the Hotel and, from time to time, to have karaoke or sing-alongs, be supported, and;
2. That a letter be sent to Liquor and Cannabis Regulation Branch advising that:
 - a) Council supports the amendment for a Patron Participation Entertainment Endorsement on Food Primary Liquor Licence number 051872 as the endorsement will not have a significant impact on the community;
 - b) The hours of liquor sales will remain the same at:
 - i) Monday to Saturday, 9:00 AM to 1:00 AM;
 - ii) Sunday, 9:00 AM to Midnight;
 - c) The seating capacity will remain the same, set at 1388 indoors and 432 outdoors, both including staff and patrons:
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 there has been no history of non-compliance with the operation, the amendment to permit patron participation entertainment endorsement under the Food Primary Liquor Licence should not change the establishment such that it is operated contrary to its primary purpose;
 - 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 did not generate any comments and views of residents, businesses and property owners.
- f) Council recommends the approval of the permanent change to add patron participation entertainment endorsement to the Food Primary Licence for reasons that the addition of the endorsement proposed is acceptable to the majority of the residents, businesses and property owners in the area and the community.



3/25/2020, 2:37:07 PM

1:18,056

Lines

— Override 1

Areas

Override 1

Points

○ Override 1

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GP - 26

Duarte,Victor

From: Jansen, Sandra
Sent: March 18, 2020 14:04
To: Duarte,Victor
Subject: RE: Van-Air Holdings Ltd dba: Pacific Gateway Hotel at Vancouver Airport - Amendment to Food Primary Liquor Licence - For Patron Participation Entertainment Endorsement- 3500 Cessna Drive

Hi Victor,

This property has relatively minor outstanding violations for the building itself at this time; however, there is one outstanding kitchen suppression system item (fusible link) that the owner/operator is trying to have corrected but with the COVID-19 virus protocols for the technicians, they are finding they are unable to have a technician attend. They are continuing to try and have a technician attend.

Knowing this, we (RFR) have initiated the development of an interim additional safety protocol program with the property representative for the kitchen staff.

The dock system has a current violation as they have not corrected a water supply issue to one of the fingers though this is not directly related to the areas you have identified.

If I can offer more clarity please let me know,

Sandra.

Sandra Jansen
Chief Fire Prevention Officer | Richmond Fire-Rescue
6960 Granville Ave. | Richmond, BC | V7C 3V4
O 604.303.2758 | C 778.836.9362

From: Duarte,Victor <VDuarte@richmond.ca>
Sent: March 18, 2020 8:04 AM
To: Jansen, Sandra <SJansen@richmond.ca>; Chiang, Paul <PChiang@richmond.ca>
Subject: RE: Van-Air Holdings Ltd dba: Pacific Gateway Hotel at Vancouver Airport - Amendment to Food Primary Liquor Licence - For Patron Participation Entertainment Endorsement- 3500 Cessna Drive