

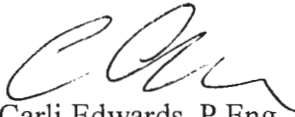


To: General Purposes Committee **Date:** April 26, 2018
From: Carli Edwards, P.Eng.
Manager, Community Bylaws and Licencing **File:** 12-8275-30-001/2018-
Vol 01
Re: **Application For a New Liquor Primary Liquor Licence - Truestea Cafe Ltd**
Doing Business As: The True'stea Restaurant- 8400 Alexandra Rd Unit 180




Staff Recommendation

1. That the application from Truestea Cafe Ltd., doing business as, The True'stea Restaurant, for a new Liquor Primary Liquor Licence to operate entertainment with full service Asian cuisine, at premises located at 8400 Ackroyd Rd Unit 180, with liquor service, be supported for;
 - a) A new Liquor-Primary Liquor Licence with primary business focus of entertainment, specifically live music and games with total person capacity of 197 persons;
 - b) Family Food Service to permit minors in all licensed areas until 10:00 PM when accompanied by a parent or guardian, when food service is available for families;
 - c) Liquor service hours for Monday to Sunday, from 12:00 PM to 2:00 AM;
2. That a letter be sent to Liquor Control and Licensing Branch advising that:
 - a) 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 197 persons indoor is acknowledged;
 - c) 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) 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) 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 as part of the application process; and
 - ii) The community consultation process resulted in no comments or views submitted from residents, businesses and property owners.
- 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.


Carli Edwards, P.Eng.
Manager, Community Bylaws and Licencing
(604-276-4136)

Att. 1

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER	
	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 
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 Truestea Cafe Ltd., doing business as The True'stea Restaurant, 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 197 persons indoor; and
- permit Family Food Service, to permit minors in all licensed areas until 10:00 PM when accompanied by a parent or guardian, when food service is available for families.

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 180-8400 Alexandra Rd., under the business name The True'stea Restaurant. This property is zoned Auto-Oriented Commercial (CA) and liquor primary establishment and restaurant are permitted uses in this zone.

The True'stea Restaurant will offer its patrons a wide variety of Asian cuisine, liquor and entertainment and is requesting Family Food Service to permit minors in all licensed areas until 10:00 PM when accompanied by a parent or guardian. The target clientele base The True'stea Restaurant is looking to attract are, tourists, regular customers, Richmond and Vancouver residents.

This business has been in operation since 2000 and under the current ownership since 2011, operating a restaurant without liquor service. There is no history of non-compliance. The True'stea Restaurant is situated in a commercial use area focusing on restaurants and entertainment. The True'stea Restaurant is situated on a parcel within a 5 unit building with various restaurants including a Karaoke Box Room business.

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

There are no schools or parks within 500 meters of The True'stea Restaurant. There is only one other liquor primary establishment within the vicinity of the establishment.

Person Capacity and Hours of Liquor Service of the Establishment

The True'stea Restaurant is proposing to operate with a person capacity of 197 persons. The applicants proposed hours of liquor service are Monday to Sunday, 12:00 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 True'stea Restaurant location is situated in Auto-Oriented Commercial (CA) district within a busy commercial area. Within the area, there are also other restaurants and 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 March 29, 2018 and three advertisements were published in the local newspaper on March 29, 2018, April 5, 2018 and April 12, 2018.

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 this establishment. On March 23, 2018, a total of 232 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 April 29, 2018.

Based on the community consultative process described, the City has not received any responses opposed to this application.

Other Agency Comments

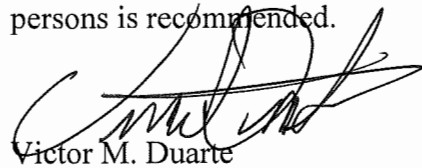
As part of the review process, staff requested comments from other agencies and departments such as Vancouver Coastal Health, Richmond R.C.M.P., Richmond Fire-Rescue and Building Approvals. These agencies and departments generally provide comments on the compliance history of the applicant's operations and premises. All of the agencies and departments expressed no concerns regarding this application.

Financial Impact

None.

Conclusion

The results of the community consultation process, of The True'stea Restaurant's Liquor Primary Licence application was reviewed based on the LCLB criteria. The analysis concluded there would be no noticeable potential impact from noise, no significant general impact in the community and no concerns raised by City departments, other agencies or the general public. The True'stea Restaurant has operated out of the existing space under the current ownership since 2011 with no noted negative community impact. Based on the culmination of these factors, the application of the Liquor Primary Licence with liquor service Monday to Sunday, from 12 PM to next day 2 AM and Family Food Service until 10 PM with occupant capacity of 197 persons is recommended.

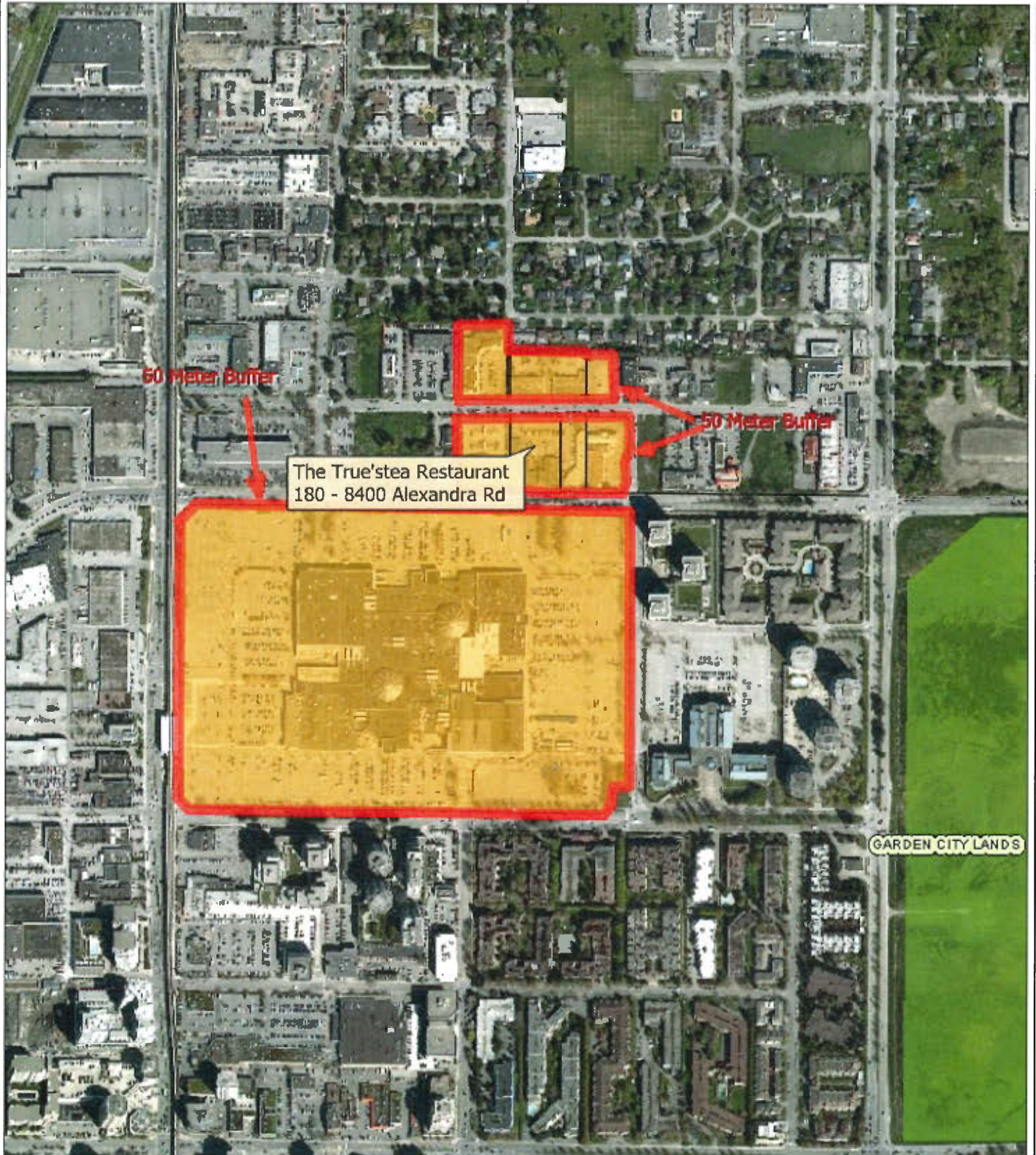


Victor M. Duarte
Supervisor, Business Licences
(604-276-4389)

VMD:vmd

Att. 1: Arial Map with 50 metre buffer area

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.

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