



To: General Purposes Committee **Date:** December 10, 2019
From: Cecilia Achiam **File:** 12-8275-30-001/2019-
 General Manager, Community Safety Vol 01
Re: **Application To Amend Liquor Primary Liquor Licence #308295 For an
 Increase in Occupant Load - Monster L Karaoke Ltd. Doing Business As:
 Monster L Karaoke - 8400 Alexandra Road Unit 130**

Staff Recommendation

1. That the application from Monster L Karaoke Ltd., doing business as, Monster L Karaoke, for an amendment to Liquor Primary Liquor Licence #308295 to increase total person capacity from 50 occupants to 110 occupants, from premises located at 8400 Alexandra Road Unit 130, with no change to hours of liquor service, be supported; and
2. That a letter be sent to Liquor and Cannabis Regulation Branch, which includes the information attached as Appendix A, advising that Council recommends the approval of the licence application for the reasons that this amendment application for an increase in person capacity to the Liquor Primary Licence has been determined, following public consultation, to be acceptable in the area and community.

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

Att. 2

REPORT CONCURRENCE	
ROUTED TO:	CONCURRENCE
Building Approvals	<input checked="" type="checkbox"/>
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: CS
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 amendment application to an existing Liquor Primary Liquor Licence 308295, to the LCRB and the City of Richmond by Monster L Karaoke Ltd., doing business as Monster L Karaoke, (hereinafter referred to as “Monster L Karaoke”) to increase person capacity from 50 occupants to 110 occupants. The City is given the opportunity to provide written comments by way of a resolution to the LCLB with respect to the proposed amendment to the Liquor Primary Liquor Licence application. Regulatory criteria a 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 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 the Establishment

The Applicant has received approval to operate a Karaoke Box Room with a Liquor Primary Liquor Licence by Richmond City Council and LCRB with person capacity of 50 occupants at the establishment and has a valid Liquor Primary Liquor Licence, #308295, for 8400 Alexandra Road Unit 130. This applicant is now proposing to operate with an increase of a person capacity of 110 occupants. There will be no change to the hours of sales currently approved for Monday to Sunday, 9:00 AM to 2:00 AM.

The applicant has applied to the City of Richmond Building Approvals Department for a change to occupant load and has received approval for a load capacity of 110 persons. This approval is a technical determination of the facility’s capacity to safely accommodate those persons for the proposed and similar uses such as restaurants, and is independent of Council’s decision on the liquor licence.

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

There are no schools, parks or other public buildings near Monster L Karaoke. There are three liquor primary establishments within 250 meters of Monster L Karaoke.

Person capacity and Hours of Liquor Service of the Establishment

The applicant is proposing to amend person capacity to 110 persons from the current approved 50 person capacity of Monster L Karaoke's Liquor Primary Liquor Licence. The applicant's operating hours of liquor service will remain unchanged at, Monday to Sunday, 9:00 AM to next day 2:00 AM, which is consistent with the City's Policy 9400.

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

The proposed establishment is located on the ground floor of a one floor building, in an area already impacted by aircraft noise. This business has been in operation since March of 2019 and no noted issues have been raised. It is staff's belief that no noticeable increase in noise would be present if the person capacity increase is supported.

The Impact on the Community if the Application is Approved

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:

- (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 October 31, 2019, and three advertisements were published in the local newspaper on October 31, 2019, November 07, 2019 and November 14, 2019.

In addition to the advertised signage and public notice requirements, staff sent letters to residents, businesses and property owners within a 50 meter radius of the new establishment. On November 01, 2019, a total of 238 letters were mailed out to residents, businesses and property owners. The letter provided information on the proposed liquor licence application and contained instructions on commenting on the application. The period for commenting for all public notifications ended December 02, 2019.

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 and Building Approvals. These agencies and departments generally provide comments on the compliance history of the applicant's operations and premises.

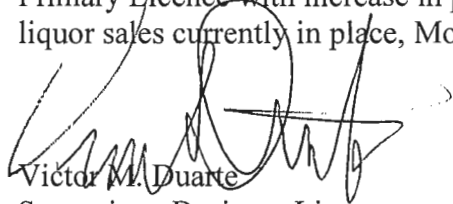
Richmond Fire Rescue noted a few minor deficiencies which the operator has addressed. No concerns were expressed from any of the other agencies or departments regarding this application.


Financial Impact

None.

Conclusion

The results of the community consultation process of Monster L Karaoke's proposed amendment application to increase the person capacity for Liquor Primary Liquor Licence was reviewed based on the LCRB criteria. The analysis concluded there should be no noticeable potential impact from noise, no significant impact to the community and no comments received from the public. There were no major concerns raised by City departments or other agencies. Staff therefore recommend approval of the application from Monster L Karaoke to operate a Liquor Primary Licence with increase in person capacity to 110 persons with no change to the hours of liquor sales currently in place, Monday to Sunday, 9:00 AM to 2:00 AM next day.


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


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

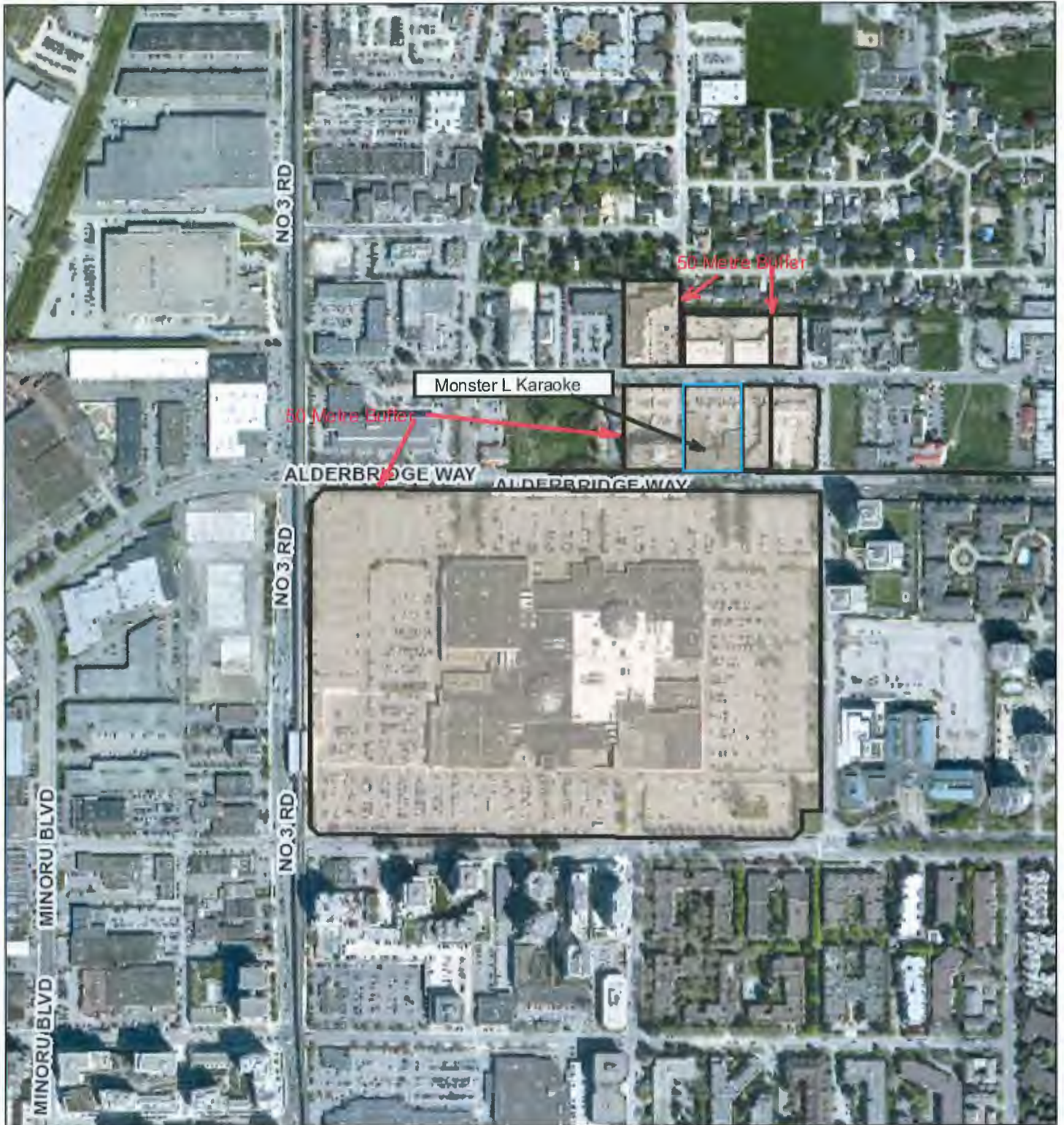
- Att. 1: Appendix A
- 2: Arial Map with 50 metre buffer area

Appendix A

Re: Proposed Amendment to Liquor Primary Liquor Licence #308295 – Monster L Karaoke Ltd. Doing Business As: Monster L Karaoke at 8400 Alexandra Rd Unit 130

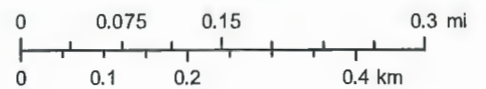
1. That the amendment application from Monster L Karaoke Ltd., doing business as, Monster L Karaoke, for an amendment to Liquor Primary Liquor Licence #308295 to increase person capacity from 50 occupants to 110 occupants, at premises located at 4351 No. 3 Road Unit 230, with no change to hours of liquor sales, currently permitted, Monday to Sunday, 9:00 AM to 2:00 AM next day, be supported, and;
2. That a letter be sent to Liquor and Cannabis Regulation Branch advising that:
 - a) Council supports the applicant's amendment to Liquor Primary Liquor Licence # 308295 to increase person capacity to 110 occupants;
 - b) Council's comments on the prescribed criteria (Section 71 of the Liquor Control and Licencing Regulations) are as follows:
 - i. The impact of additional noise and traffic in the area of the establishment was considered;
 - ii. The potential impact on the community was assessed through a community consultation process;
 - iii. Given that this is an existing business and there is no history of non-compliance with this establishment.
 - c) 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.
 - d) 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.
- e) Council recommends the approval of the licence amendment application for the reasons that this amendment application for an increase in person capacity to 110 persons is acceptable to the majority of the residents, businesses and property owners in the area and community.



12/16/2019, 9:22:00 AM

1:9,028



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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community