

MayorandCouncillors

To Public Hearing
Date: Feb 21, 2005
Item # 14
Re: Bylaw 7884
Steveston + No. 5 Road

From on behalf of MayorandCouncillors
Subject FW sandhill file # 04286494

-----Original Message-----

From: carol day [mailto:catsignsandgraphics@shaw.ca]
Sent: Tuesday, 25 January 2005 12:30 PM
To: InfoCentre
Subject: sandhill file # 04286494

This is an open letter to City Council
The Mayor and the Richmond Review

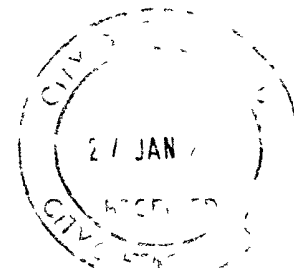
Jan 25, 05

The Pub proposed for Steveston and Number five road is a total surprise to me, so I attended the Jan 24th City council meeting, to see the rezoning passed. I left the meeting with more questions than I went to it with.

- Why has the original plan to build a automotive service centre on the south east corner been abandoned?
 - Why is a pub proposed for an area that already has 6 pubs or bars within a small area?
 - Why was the plan passed that allowed for the planning dept to rescind redundant city pub policies?
 - Why do we have redundant city pub policies in place that are not supportable with provincial policies?
 - Why don't we wait until the new policies are in place in March?
 - Why was this application fast tracked in just over 2 months?
 - Why was rezoning passed when the operator of the pub and details are not provided?
 - Why is the provincial liquor board allowed to have some control over a Richmond City decision?
 - Why was a \$200 ad placed by an anonymous party which suggested contacting Councillor McNulty and city staff?
- These are questions we need answers for. And as this issue becomes more public I suspect we will finally get those answers.

There are so many difficult decisions for Staff and council to make daily, it is our responsibility as citizens to help and get the answers needed to make the right decisions for our beautiful city.

Thanks Carol Day



MayorandCouncillors

From Allueva, Raul
Sent: Monday, 31 January 2005 11 13 AM
To 'catsignsandgraphics@shaw.ca'
Cc MayorandCouncillors Lee, Janet, Weber, David Erceg Joe, Craig, Wayne, Burke, Holger, Stevens, Anne Crowe Terry
Subject RE sandhill file # 04286494 (Proposed Neighbourhood Public House Rezoning Application)

To Public Hearing
Feb 21 / 05
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Bylaw 7884
1006-11100 No 5 Road
12020 Finestra Hwy

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Hello Carol

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This is further to your e-mail dated January 25, 2005, which was forwarded to me for a detailed response. In response to the questions posed I offer the following for your information, and these correspond specifically to the 9 questions asked in your e-mail.

1 I assume that your reference to the "original plan to build an automotive service centre" being abandoned refers to the previous Rezoning By-law (No 7755), which was approved to be abandoned immediately prior to the new Rezoning By-law being introduced and granted First Reading. The original rezoning, which had been approved by Council at Public Hearing and granted Third Reading, was to C-6 (Auto Oriented Commercial District). In fact, the only changes to the original plan is that an additional property has now been added to the land assembly, and that an additional use (Neighbourhood Public House) has been added to the uses which were permitted under C-6. In other words, the uses for the commercial centre previously envisioned will not change, except that the applicant is seeking a Neighbourhood Public House in addition to other uses.

The reason for abandoning the C-6 rezoning application is that, procedurally, you cannot have two rezoning bylaws on the same site. Therefore the new CD Zone District (CD/161) will replace the C-6 Zoning District.

- 2 The question of why a pub is proposed for this area is one to be answered by the applicant, through the public consultation process both for the Rezoning and the Neighbourhood Pub. (The applicant has previously been made aware that this Rezoning application, if successful, would only include the permitted use within the site zoning but it will not approve a Neighbourhood Pub license). The immediate context (major intersection, surrounded immediately by industrial and commercial uses) indicates that such a use can at least be considered, although this is only the first step in the approval process, if it were to be successful. The actual approval of a Liquour License will require application to the BC Liquour Licensing Branch, which necessitates comments/approval from City Council. The applicant will have to demonstrate through the Public Hearing process at Rezoning, and also under the Neighbourhood Pub (Liquour License Application) approval, that there is merit in such an establishment being located at this location. While the technical and operational requirements of a pub can be demonstrated at this time (access, parking, etc), under these processes the applicant will be required to demonstrate to Council how the site will work, that there is adequate market demand, the impact on other businesses serving the area, the area served, access and proximity to patrons, etc etc.
- 3 As explained in the Planning Report, the City has existing policies relating to Neighbourhood Pub approvals that speak to processes and terms no longer applicable under the Provincial approvals. Elements of the Provincial approval process, like pre-approval for instance, are no longer in existence as discussed in the Policy. The Report also notes that staff are working on a revised process for Liquour License approvals, and will be bringing this forward to Council sometime in March. In the meantime, this Rezoning application can be dealt with under utilizing the Public Hearing process. Should any new rezoning application for a Neighbourhood Pub be received, we would advise applicants that a new procedure and policies is being brought forward, and new Policies will be forwarded to Council for discussion and adoption, therefore it is unlikely that other applications will be brought forward until that time.
- 4 The City Policies alluded to above were adopted prior to the 2002 Provincial changes. Since late 2002, there has been a lot of discussion by all Municipalities and the Province about the scope of these changes, and how these affect a variety of liquor-related approvals and the Local Government level, including

adequate consultation process, Licensee Retail Stores, Liquour Licenses, and Liquour License Amendments (operating hours, lounges, patio extensions, public participation), etc. The changes and new regulations can be summed as being streamlined and having less red tape, although there is an element of increasing the decision-making responsibility at the Local Government level. The City has moved forward in a number of areas to bring policies and procedures in line with new regulations, however, not all areas have been brought up to date. As the City does not receive many new Neighbourhood Public House Rezoning applications, staff have not had to deal with this issue to date. It became clear recently that a co-ordinated approach to deal with all Liquour approval processes is necessary, both to ensure clarity, but also to avoid confusion of how each area is being dealt with. This is the staff review that is presently under way.

- 5 City Council can decide to wait until the new City Policies and processes are brought forward before approving any Rezoning for Neighbourhood Public Houses, including the subject application. I note that Council did not hold this application on January 24, 2005, but forwarded to Public Hearing. However, it is their prerogative to make a decision on the Rezoning at Public Hearing, and decide whether to approve this application prior to the new process being approved. I note that the Public Hearing process is being utilized to solicit feedback on the Rezoning, which is fully appropriate and legally correct.
- 6 This application was not fast tracked. As the original Rezoning application was already at Third Reading and all technical issues already approved, the current Rezoning application, which involved primarily adding a new use to the zone, could be dealt with quickly by staff.
- 7 For clarification, the rezoning for this application was NOT passed, but was granted first reading and forwarded to a public hearing. The details of the operator were not provided as the applicant did not have an operator identified at that time. I believe they may have an operator now, and if so, we will ask them to provide this information at the Public Hearing. It is noted that the information on the operator is not necessary for the approval of the use (Rezoning approval), but will be necessary as part of the application to the Provincial Liquour Licensing Branch for a Liquour License. Under this process, there is a detailed check completed by the Province on the operator.
- 8 Liquour License approvals are regulated under Provincial mandate. As noted above, while many of the decisions and approvals are granted at the local government level (zoning, liquour licenses, liquour license amendments, etc.), the Provincial Government retains authority in many areas of Liquour License approval processes as part of the Provincial mandate, although in many cases the City input is a necessary part of that approval process.
- 9 The City has no information as to who placed the newspaper add. The add was NOT placed by the City.

I trust this information adequately answers your questions. If you have any further questions, please contact either myself directly as per my contact information below, or Janet Lee at 604-276-4108. Thanks for your interest.

Raul Allueva

Director of Development

City of Richmond

6911 No. 3 Road, Richmond BC V6Y-2C1

(604) 276-4138 fax (604) 276-4052

<<mailto:ralluev@city.richmond.bc.ca>>

-----Original Message-----

From: MayorandCouncillors

Sent: Thursday, 27 January 2005 2:10 PM

To: 'catsignsandgraphics@shaw.ca'

Subject: RE: sandhill file # 04286494

Dear Ms. Day,

This is to acknowledge and thank you for your letter to the Mayor and Councillors in connection with the proposal on the 11000 Block of Steveston Highway, the bylaw for which received first reading at the Regular Council meeting on January 24, 2005. This Bylaw will be considered at a Public Hearing to be held on February 21, 2005. I will be forwarding your letter for inclusion in the Public Hearing agenda for

this item

In the meantime, I am also forwarding your email to Raul Allueva, Director of Development, so that he may shed some light on the questions you pose

Thank you for taking the time to make your concerns known to Council

Yours truly,

David Weber

David Weber
Manager, Legislative Services
City Clerk's Office
City of Richmond
6911 No 3 Road, Richmond, BC, V6Y 2C1
voice (604) 276-4098
fax (604) 278-5139
email dweber@richmond.ca
web www.richmond.ca

From: InfoCentre
Sent: Tuesday, 25 January 2005 1:49 PM
To: MayorandCouncillors
Subject: FW: sandhill file # 04286494

Good Afternoon Item addressed to Mayor & Councillors

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