



City of Richmond

Report to Committee

To: General Purposes Committee
From: Anne Stevens, Manager, Customer Services
Re: Liquor Licence Amendment Requests

To General Purposes - July 19, 2004
Date: July 6, 2004
File: 12-8275-30-001/2004-Vol 01

Staff Recommendation

That Council NOT support the applications to amend the liquor licence for the following:

- San Diego Restaurant & Lounge - #105-8171 Alexandra Rd
Foggy Dew Irish Pub - 7211 Westminster Hwy
Oriental Delight Seafood - #145 - 4751 Garden City Rd.
Place One - 4020 No. 3 Rd
Manhattan Karaoke - 2168 - 3779 Sexsmith Rd

for reasons outlined in the staff report dated July 6, 2004 from the Manager of Customer Service.

Handwritten signature of Anne Stevens

Anne Stevens
Manager, Customer Services
(4273)

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ROUTED TO: CONCURRENCE CONCURRENCE OF GENERAL MANAGER
R.C.M.P. Y [X] N []
Law Y [X] N []
REVIEWED BY TAG YES [X] NO [] REVIEWED BY CAO YES [X] NO []

Staff Report

Origin

The provincial Liquor Control and Licensing Branch (LCLB) issues licences under the authority of the Liquor Control and Licensing Act and Regulations.

The LCLB notifies local government to give them the opportunity to provide comments on an establishment that is requesting an amendment to a liquor licence.

This report will deal with:

- San Diego Restaurant & Lounge – #105- 8171 Alexandra Rd.
- Foggy Dew Irish Pub – 7211 Westminster Hwy.
- Oriental Delight Seafood – #145 – 4751 Garden City Rd.
- Place One – 4020 No. 3 Rd.
- Manhattan Karaoke – 2168 – 3779 Sexsmith Rd.,

who each applied for an extension of hours in March of 2004 but did not comply with the City of Richmond Development Application Fees Bylaw No. 7276, amendment Bylaw No. 7677.

Analysis

In order to comply with the Provincial government regulations the City of Richmond established Bylaw 7276, amendment Bylaw 7677.

Development Application Fees Bylaw No. 7276, amendment Bylaw No. 7677 states that those establishments requesting an extension of hours for the sale of liquor must post a sign in front of their establishment for thirty days and place three advertisements in the local paper. The City in turn would send letters to the residents for comment, who live within 50 metres of the establishment outlining the intentions of the establishment.

In March and April 2004, letters were sent to the above establishments outlining the City process. As the City did not hear back from these establishments, a second letter was sent stating that “if the City did not hear from them by June 30th, it would be assumed their application would no longer be valid and they were not interested in pursuing a change to their liquor licence”.

To date the City has received only one letter from San Diego Café & Lounge (formerly Boston Steak House Ltd) who do not wish to pursue a change to their existing liquor licence at this time. (Attachment 1)

The other establishments had not responded as of July 6, 2004.

Financial Impact

None

Conclusion

Staff recommend that Council not support the applications of the following establishments;

- San Diego Restaurant & Lounge – #105- 8171 Alexandra Rd
- Foggy Dew Irish Pub – 7211 Westminster Hwy
- Oriental Delight Seafood – #145 – 4751 Garden City Rd.
- Place One – 4020 No. 3 Rd
- Manhattan Karaoke – 2168 – 3779 Sexsmith Rd

as they have not complied with the City's Development Application Fees Bylaw 7276, amendment Bylaw 7677 or the Provincial regulations.



Anne Stevens
Manager, Customer Services
(4273)

AS2:as2



San Diego Café & Lounge

June 15, 2004

Anne Stevens
City of Richmond
6911 No. 3 Road,
Richmond, BC
V6Y 2C1

RE: File: 8275-390-001
Liquor Licence Application for Extension of Hours

Dear Anne,


Firstly, we would like to apologize for the late reply.

At this time, we have decided not to complete the application in the due time, because the owner has changed the mind regarding this application.

In the future, if we are interested in a change to our licence, we will submit another application.

Thank you for your attention.

Yours truly,



Fred Lau



**Development Application Fees Bylaw No. 7276,
Amendment Bylaw No. 7677**

The Council of the City of Richmond enacts as follows:

1. Bylaw No. 7276 is amended by adding the following as subsection 1.9 and re-numbering the remaining sections accordingly:

- 1.9 **Reviews of Applications for Liquor-Related Permits**

- 1.9.1 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*; or
 - (b) any of the following in relation to an existing licence to serve liquor:
 - (i) addition of a patio;
 - (ii) relocation of a licence;
 - (iii) change of hours; or
 - (iv) patron participation

- must proceed in accordance with subsection 1.9.2.

- 1.9.2 Pursuant to an application under subsection 1.9.1, every **applicant** must:

- (a) pay an application fee of \$500;
 - (b) post and maintain on the subject property a clearly visible sign which indicates the intent of the application; 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.

1.9.3 The sign specified in clause (b) of subsection 1.9.2 must:

- (a) be at least 1.2 metres by 2.4 metres in size;
- (b) contain block lettering that is at least 5 cm high on a background of contrasting colour;
- (c) be located in a location which has been approved by the City;
- (d) be posted for at least 30 days following the first publication of the notice in the newspaper under clause (e) of subsection 1.9.1;
- (e) specify an expiry date for receipt of public input which is at least 30 days after:
 - (i) the date the sign is posted on the property; or
 - (ii) the date the notice is published in the newspaper,whichever is later; and
- (f) be in the form set out in Schedule A which is attached and forms a part of this bylaw.

1.9.4 The notice specified in clause (c) of subsection 1.9.2 must:

- (a) be at least 12 cm wide and 15 cm long in size;
- (b) specify an expiry date for receipt of public input which is at least 30 days after:
 - (i) the date the sign is posted on the property; or
 - (ii) the date the notice is published in the newspaper,whichever is later; and
- (c) be in the form set out in Schedule A.

- 2. Bylaw No. 7276 is amended by adding the following as Schedule A:

SCHEDULE A

**[NEW LIQUOR LICENCE APPLICATION] OR
[LIQUOR LICENCE AMENDMENT APPLICATION]**

Notice of Intent

Under the Liquor Control and Licensing Act

An application has been received by the Liquor Control and Licensing Branch, Victoria B.C. and by the City of Richmond from:

_____ *[Company name]* operating the
 _____ *[Name of Establishment]* at
 _____ *[Address of Establishment]*, Richmond, BC

The intent of the application is to _____

Residents, property owners and business owners may comment on this proposal by writing to:

THE CITY OF RICHMOND
 PERMITS SECTION
 LIQUOR LICENCE APPLICATIONS
 6911 NO. 3 RD
 RICHMOND, BC, V6Y 2C1

To ensure the consideration of your views, your letter must be received on or before *[expiry date]*. Your name and address must be included on your letter.

Please note that your comments may be made available to the applicant where disclosure is necessary to administer the licensing process.

- 3. This bylaw is cited as "Development Application Fees Bylaw No. 7276, Amendment Bylaw No. 7677".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

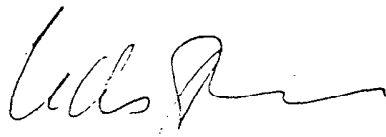
MAR 08 2004

MAR 08 2004

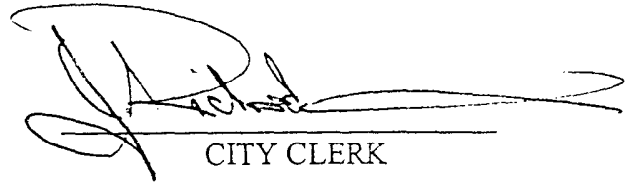
MAR 08 2004

MAR 22 2004

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor



MAYOR



CITY CLERK