



City of Richmond

Report to Committee

TOEP July 10 2012

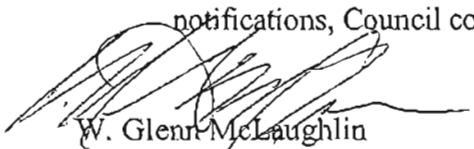
To: General Purposes Committee **Date:** June 26, 2012
From: W. Glenn McLaughlin **File:** 12-8275-30-001/2012-
Chief Licence Inspector & Risk Manager Vol 01
Re: Ceili's Irish Pub (Richmond) Ltd.
5991 Alderbridge Way

Staff Recommendation

That a letter be sent to the Liquor Control and Licensing Branch advising that:




1. The application by Ceili's Irish Pub (Richmond) Ltd., to amend their hours of liquor service *from* Monday through Thursday 11:30 a.m. to 1:30 a.m. and Friday through Sunday Noon to 2:00 a.m. *to* Monday through Sunday 9:00 a.m. to 2:00 a.m., be supported.
2. Council comments on the prescribed considerations are:
 - a. There is little potential for additional noise if the application is approved; and
 - b. The amendment would not pose a negative impact on the community based on the lack of comments received from the public.
3. Council comments on the view of residents were gathered as follows;
 - a. Property owners and businesses within a 50 metre radius of the subject property were contacted by letter detailing the application and provided with instructions on how community concerns could be submitted; and
 - b. Signage was posted at the subject property and three public notices were published in a local newspaper. The signage and notice provided information on the application and instructions on how community comments or concerns could be submitted.

Based on the lack of negative responses from residents and businesses in the nearby area, save for one letter received, and the lack of responses received from the community through notifications, Council considers that the application is acceptable to a majority of residents.



W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
(604-276-4136)

Att. 1

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
REVIEWED BY SMT SUBCOMMITTEE	INITIALS: 
REVIEWED BY CAO	INITIALS: 

Staff Report

Origin

The Provincial Liquor Control and Licensing Branch (LCLB) issues licences in accordance with the Liquor Control & Licensing Act and Regulations.

This report deals with an application submitted by Ceili's Irish Pub (Richmond) Ltd. (the Applicant) operating from premises located at 5991 Alderbridge Way for the following:

- to amend their hours of liquor service *from* Monday through Thursday 11:30 a.m. to 1:30 a.m. and Friday through Sunday from Noon to 2:00 a.m. *to* Monday through Sunday 9:00 a.m. to 2:00 a.m.

Local government is given opportunity to provide comments and recommendations to the LCLB with respect to liquor licence applications and amendments. For an amendment to an existing licence, the process requires local government to provide a Council resolution that addresses the following review criteria:

- the potential for noise if the application is approved and,
- the impact on the community if the application is approved.

Background

A pub has been operating at 5991 Alderbridge Way under the business name of The Foggy Dew Irish Pub since a business licence was issued in 1998. The Applicant was approved to transfer the business licence in March of 2012 and subsequently changed the operating name to Ceili's Irish Pub (Richmond) Ltd.

The premises are attached to the Executive Inn owned by Sayan Investments Ltd., who has sub-let the pub operation to the Applicant. The pub is a 172-seat facility with an outside patio area for 19 patrons. In addition to the hotel component of the building there are a number of commercial business units at ground level and residential apartment towers to the north and east.

The Applicant states that they are requesting the amendment to the hours of operation in order to allow them to open their facility for brunch service and for the showing of sports events that occur in different time zones and may start as early as 9:00 a.m. local time. The Applicant also indicates that the change of hours will enable them to be consistent with other liquor primary licences operating in Richmond.

Apart from 2 private clubs with 9:00 a.m. opening hours and a number of establishments at YVR, the next earliest opening liquor primary establishments in Richmond are a number of *Neighbourhood Pubs* with an opening time of 10:00 a.m.

Regulatory Criteria

Noise Impact on the Community

The location is surrounded by a mix of commercial and high-density residential uses. The lack of material negative feedback from the occupants in the area indicates residents do not expect the proposal to generate any additional noise or traffic other than the street noise generally associated with closing time dispersals.

Views of nearby residents, businesses and property owners

To satisfy LCLB requirements, the City's review process requires that the public be notified of the liquor licence amendment application and be given an opportunity to express any concerns related to the proposal.

The City's process for reviewing applications for liquor related permits is prescribed by the Development Application Fees Bylaw 7984 which under section 1.9.1 calls for:

1.9.1 Every applicant seeking approvals from the City in connection with:

(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:

- (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 at least weekly in the area affected by the application

In addition to the advertised public notice requirements set out in Section 1.9.2, staff have adapted from a prior bylaw requirement, the process of the City sending letters to businesses, residents and property owners within a 50-metre radius of the establishment (Attachment 1). This letter provides details of the proposed liquor licence application and requests the public to communicate any concerns to the City.

There are 10 property parcels within the consultation area. On May 24, 2012, letters were sent to 218 businesses, residents and property owners to gather their views on the application. As of June 26, 2012, one letter of dissent was received. The resident's concerns were that;

- property damage has occurred by drunken patrons leaving the pub
- broken glass and liquor bottles have been found around the building
- longer hours will only result in more drunken patrons

There were no responses received from the community as a result of the newspaper publications.

The following table is a summary of the application data and dates:

ITEM	DETAILS
City of Richmond Application Received	May 17, 2012
Type	Amendment – Hours of operation under Liquor Licence No. 300760
Location	5991 Alderbridge Way
Proposed Hours of Liquor Sales	Monday to Sunday, 9 a.m. to 2 a.m.
Zoning	Downtown Commercial
Business Owner	Ceili's Irish Pub (Richmond) Ltd., Mark Reid, owner
Date Sign Posted	May 15, 2012
Newspaper Publication Dates	May 16, 18, 23, 2012
Letters to residents/businesses	May 24, 2012

The public consultation period for the application ended on June 25, 2012.

Non-Regulatory Criteria

Other Agency Comments

As part of the review process, staff requested comments from Vancouver Coastal Health, Richmond RCMP, Richmond Fire-Rescue and the City's Building Permit and Business Licence Departments. These agencies and departments generally provide comments on the compliance history of the Applicant's operations and premises.

No objections were received to the application from the departments contacted.

Financial Impact

None.

Conclusion

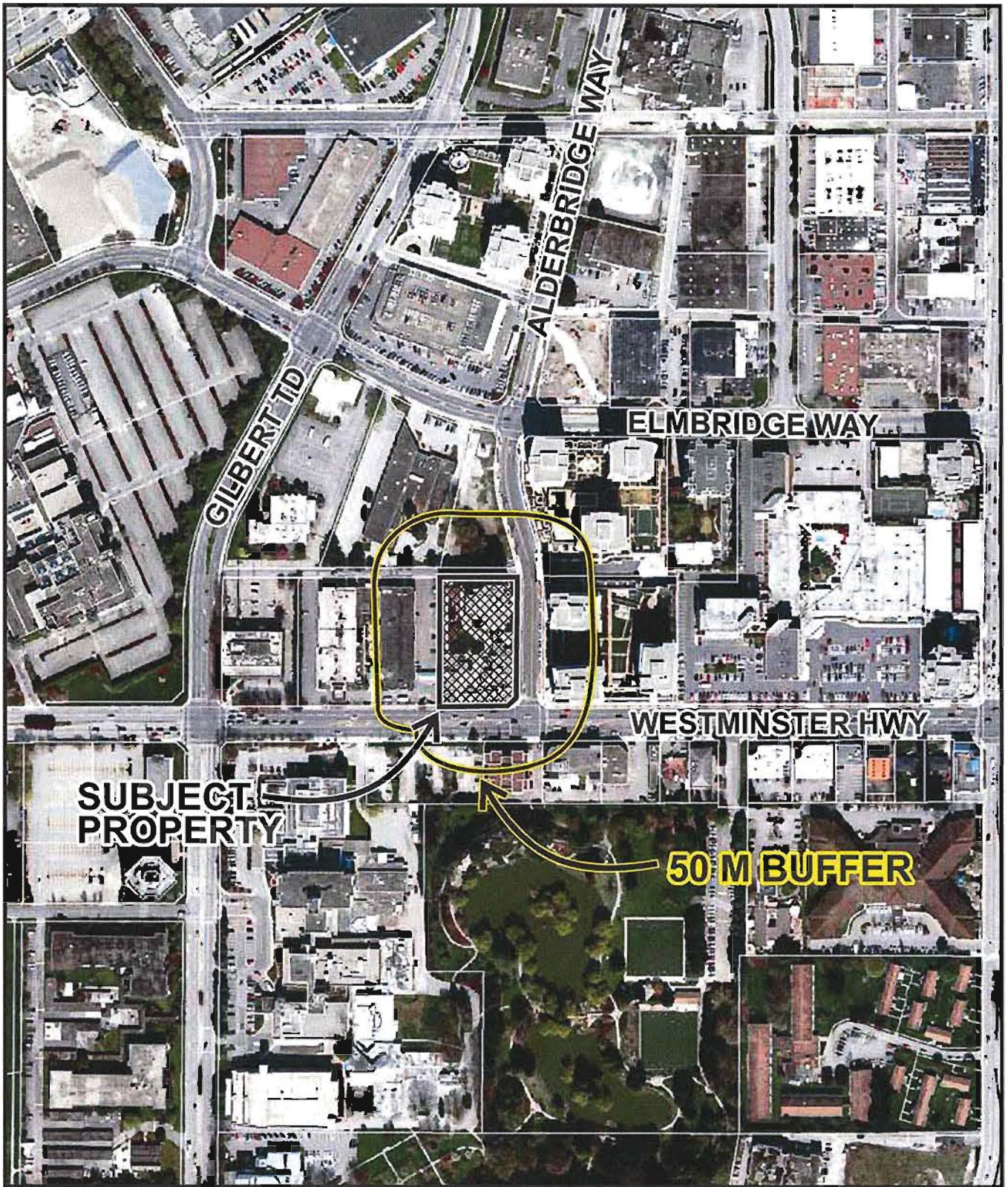
Following the public consultation period, staff have reviewed the application and considered it in light of the legislated review criteria.

Given that there was no objections to the proposal from the various agencies consulted and given only a single letter of dissent was received from all the public consultations carried out, staff recommend that Council provide a Resolution to LCLB supporting the application for Ceili's Irish Pub (Richmond) Ltd., to amend their hours of liquor service to Monday through Sunday from 9:00 a.m. to 2:00 a.m.



Joanne Hikida
Supervisor, Business Licence
(604-276-4155)

JMH:jmh



5991 Alderbridge Way

Original Date: 06/13/12

Amended Date:

Note: Dimensions are in METRES