

AGENDA ITEM NO: 7.4

MEETING DATE: November 19, 2024

STAFF REPORT – COVER SHEET

SUBJECT: Johnny's Jukebox Diner – Application for Permanent Change to a Food Primary Licence (LLA00109) DATE: November 12, 2024

DEPARTMENT: Legislative Services PREPARED BY: Carolyn Wilkinson

1. SUMMARY OF ISSUE:

An application for a Permanent Change to a Food Primary Licence has been received from Johnny's Jukebox Diner, to be located at 2-45966 Yale Road. The purpose of the application is to add a Patron Participation Entertainment Endorsement to the Food Primary Licence to allow for patron participation (artists, pianists, live bands, dancing, amateur nights/talent shows, karaoke/sing-a-longs, comedians, etc.) within the diner.

The application for Food Primary License is currently being reviewed by the Liquor and Cannabis Regulation Branch (LCRB). Confirmation from the LCRB permits this application to run concurrently with the Food Primary Licence Application.

The intended hours of operation for Johnny's Jukebox Diner is Monday to Sunday, 9:00 am to 12:00 midnight.

The application was referred to the Chilliwack RCMP Detachment, the City's Development, Engineering, and Planning Departments, and the Fire Department. Their comments are copied below:

- Chilliwack RCMP – no issues
- Development – No concerns from Bylaw; Community Standards Bylaw applies as it relates to noise;
- Engineering – no concerns for traffic and parking;
- Planning – based on information provided and confirmation that the establishment will still be a Food Primary operation (i.e. restaurant), the entertainment endorsement is considered to be in keeping with the current C2 (Local Commercial) Zone of the property; and,
- Chilliwack Fire:
 - **Conditional Initial Occupancy:** Our inspector conducted an initial occupancy review (refer to page 6 of the application). However, this review/occupancy load number was completed as a courtesy and is conditional as the space was not completed at the time of inspection.

- **Active Building Permit – Tenant Improvement:** The application has an active Building Permit for Tenant Improvement on file. The applicant must meet all the requirements outlined in this permit. The fire department does not have authority until the building department finalizes the permit.
- **Final Occupant Load Numbers:** Once the Building Permit is finalized, the applicant must confirm the final occupant load numbers with the fire department, to include the standing/dancing areas (note: Building Permit application/plans confirms noted occupancy of 58 patrons).

Attached for Council's information are copies of the following:

- Application for a Permanent Change to a Food Primary Licence (Food Primary Licence currently being reviewed concurrently by the LCLB);
- Letter of Intent from the Applicant dated October 3, 2024 and, Floor Plan and Occupant Load of the proposed Food Primary licensed area.

In accordance with "Public Hearing/Public Information Meeting Procedural Bylaw 2004, No. 3004", Council may:

- a) Opt out of comment; or,
- b) Provide comment with respect to whether or not to recommend approval of the application; and,
- c) Call a Public Information Meeting to gather the views of the public

If Council chooses to opt out of comment, Option (a), the Branch will gather public input and contact Local Government staff for information to assist the Branch in considering the regulatory criteria. If Council chooses to provide comment on whether or not to recommend approval, Option (b), input from the public will be required.

2. RECOMMENDATION:

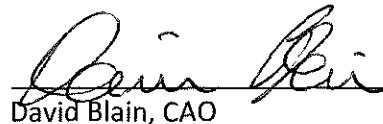
That Council receive for information the application for a Permanent Change to a Food Primary Licence for Johnny's Jukebox Diner, to be located at 2-45966 Yale Road; and further, that a Public Information Meeting be called for December 3, 2024.



Jamie Leggatt, Director of Communications
and Legislative Services

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.


David Blain, CAO

Wilkinson, Carolyn

From: Leggatt, Jamie
Sent: October 29, 2024 12:18 PM
To: Wilkinson, Carolyn
Subject: FW: Local Government Question RE: Patron Participation Entertainment Endorsement [EXTERNAL]

FYI

From: LCRB Case Manager LCRB:EX <LCRB.CaseManager@gov.bc.ca>
Sent: September 6, 2024 10:32 AM
To: Leggatt, Jamie <leggatt@chilliwack.com>
Subject: RE: Local Government Question RE: Patron Participation Entertainment Endorsement [EXTERNAL]

Hello Jamie,

Thank you for your email. Often people will apply for the endorsement at the same time as applying for the food primary licence.

The role of the Local government/Indigenous nation for these applications is:

- Accept the application for formal consideration OR,
- Opt-out OR,
- Reject (delete) the application or change

If the LG/IN decides to opt-out: Once assigned, the case manager will reach out to the applicant and provide them instructions for completing the public input process.

As per page 24 of the Food Primary Terms and Conditions: Billiards and pool games are not permitted in the licensed area; however, they may be offered in an unlicensed location of the establishment.

I've provided a link with more information. <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/local-gov-indigenous-nations/role-of-local-governments-and-first-nations-in-liquor-licensing>

Please let me know if you require any additional information.

Kind regards,

Case Manger Team | Cedric. S
Liquor & Cannabis Regulation Branch
Email: LCRB.CaseManager@gov.bc.ca
Toll free: 1-866-209-2111
Fax: (250) 952-7066
www.gov.bc.ca/liquorregulationandlicensing
Ministry of Public Safety and the Solicitor General



Provide Comment on Patron Participation Entertainment Endorsement Application

The application fee is \$330.

If you leave this page, the information you input will be saved. You can continue later from the dashboard.

BEFORE STARTING THE APPLICATION

This application is for an endorsement to allow patron participation entertainment at the licensed Food Primary establishment (e.g., dance floor).

Note: Patron participation entertainment must end by midnight.

There are restrictions related to forms of entertainment, sound systems, etc. Examples of permitted forms of entertainment include: dancing, singing, stand-up comedy, open mic and trivia nights, etc., provided that food service is available and remains the primary focus of the establishment at all times. Forms of entertainment that are not permitted include: workshops, lessons, wine tastings, adult entertainment, or other activities that shift the primary focus away from the service of food.

If you are uncertain about any of the details of your proposal, call the Liquor and Cannabis Regulation Branch (LCRB) toll-free at: 1 866 209-2111.

If an LSR/IN is the applicant, the Branch will gather community input and consider the regulatory criteria; the LSR/IN is not permitted to conduct public input or provide comments on their own application. This is to prevent conflicts of interest. The applicant must pay any costs incurred to obtain the views of residents.

If you have any questions about this application, contact the Liquor and Cannabis Regulation Branch (LCRB) at LCRBLiquor@gov.bc.ca (<mailto:LCRBLiquor@gov.bc.ca>)

ESTABLISHMENT DETAILS

Establishment Name

Johnny's Jukebox Diner

FOOD PRIMARY LOCATION ADDRESS

The establishment is currently located at the following address:

Address

2-45966 Yale Rd

City

Chilliwack

Province

British Columbia

Postal Code

V2P2M3

Country

Canada

Parcel Identifier (PID)

005181411

LOCAL GOVERNMENT/INDIGENOUS NATION AND POLICE JURISDICTION

Enter the local government or Indigenous Nation (<https://www2.gov.bc.ca/gov/content?id=B5744089A70F428FA189E5FF5CAE4E4A>) and police jurisdiction where the establishment will be located. Suggestions will be provided after you type the first three characters of the name.

Local Government/Indigenous Nation

Chilliwack

Selected Local Government/Indigenous Nation

Name: Chilliwack

Please ensure you have made yourself familiar with the application requirements for this local government (or Indigenous Nation) prior to submitting your application. You may need to contact them prior to submitting to ensure your successful submission.

Police Jurisdiction

Chilliwack RCMP

Selected Police Jurisdiction

Name: Chilliwack RCMP

ESTABLISHMENT CONTACT DETAILS

The phone and email address used to contact your establishment.

Establishment Email

mkjukeboxdiner@gmail.com

Establishment Phone

(604) 793-2610

APPLICATION DETAILS

In detail, describe the proposed form of patron participation entertainment, and where it will take place in your restaurant. For temporary patron participation entertainment applications only, please include the dates, hours and nature of the event.

Live Music - Allow Patrons to dance
paint nights - allow them to walk around
Karaoke - to be in staged area to sing

APPLICATION CONTACT DETAILS

Please provide contact information for the contact that the LCRB should communicate with regarding this application.

First Name *

Kristina

Last Name *

RUS

Title/Position

Owner

Phone Number (main) *

6047932610

Email *

By submitting the email address, you agree that the Liquor and Cannabis Regulation Branch can use it to communicate with you about this application

mkjukeboxdiner@gmail.com

DECLARATIONS

The application must only be submitted by an individual with the authority to bind the applicant. The branch relies on the applicant to ensure that the individual who submits this application is authorized to do so. Typically, an appropriate individual in a corporation will be a duly authorized signatory who will usually be an officer or, in some cases, a director.

Note: A lawyer or consultant, may NOT submit this application on behalf of the applicant.

* I understand and affirm that I am authorized to submit the application.

Section 20 (1) of the Liquor Control and Licensing Act states: "The general manager may refuse to issue, renew, transfer or amend a licence if the applicant fails to disclose a material fact required by the application or makes a false or misleading statement in the application."

* I understand and affirm that all of the information provided for this application is true and complete.

LOCAL GOVERNMENT/INDIGENOUS NATION CONFIRMATION OF RECEIPT OF APPLICATION

LG/IN

Chilliwack

Name of Official

Title/Position

Phone

(000) 000-0000

Email

Provide a resolution commenting on the Patron Participation Endorsement application. You may Accept the application without providing resolution. However, you must provide one within 90 days.

To provide a resolution or comment:

- Gather public input for the community in the immediate vicinity of the proposed endorsement service area(s)
- Consider these factors which must be taken into account when providing resolution/comment
 - The location of the establishment
 - The person capacity and hours of liquor service of the establishment
- Provide a resolution/comment with comments on
 - The impact of noise on nearby residents
 - The impact on the community if the application is approved
 - If the application is to amend a Food Primary licence, whether the amendment will result in the service area being operated in a matter that is contrary to primary purpose
 - The view of residents and a description of the method used to gather views
 - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based
- Provide any reports that are referenced in, or used to determine, the resolution/comment
- If more than 90 days is required, provide a written request for extension to the Branch

You may decide that your LG/IN does not wish to provide comment on this change request. Click the "Opt-Out" button below to not provide comment. If you opt-out, or are the applicant, the Branch will gather public input and contact your staff for information to assist the Branch in considering the regulatory criteria.

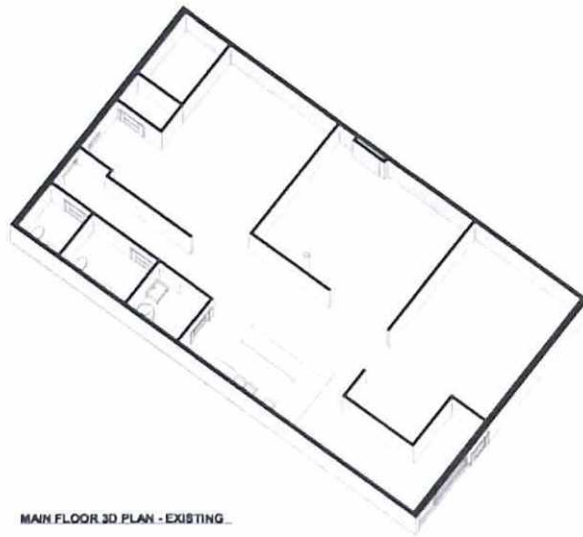
TO UPLOAD DOCUMENTS, DRAG FILES HERE OR [BROWSE](#).
FILES MUST BE IN PDF, JPEG, OR PNG FORMAT.
MAX FILE SIZE: 25MB.

Opt Out of Comment

Reject Application

Accept Application

TENANT IMPROVEMENT FOR Johnny's Jukebox Diner



MAIN FLOOR 3D PLAN - EXISTING



MAIN FLOOR 3D PLAN - PROPOSED

mechanical engineer
 by permission of
 LSC engineer
 Electrical engineer
 EPro
 electrical engineer
 Murphy Design
 Services Inc.
 175 1st Street
 St. Louis, MO 63102

24021

jwT
 ARCHITECTURE
 AND PLANNING
 1000 17th Street
 St. Louis, MO 63103

GULIKER
 604.824.2774
 1000 17th Street
 St. Louis, MO 63103

REVISION LIST	
NO.	DATE
1	5/13/2024
2	5/13/2024
3	5/13/2024
4	5/13/2024
5	5/13/2024
6	5/13/2024
7	5/13/2024
8	5/13/2024
9	5/13/2024
10	5/13/2024

PROJECT
 Johnny's Jukebox Diner
 1000 17th Street
 St. Louis, MO 63103

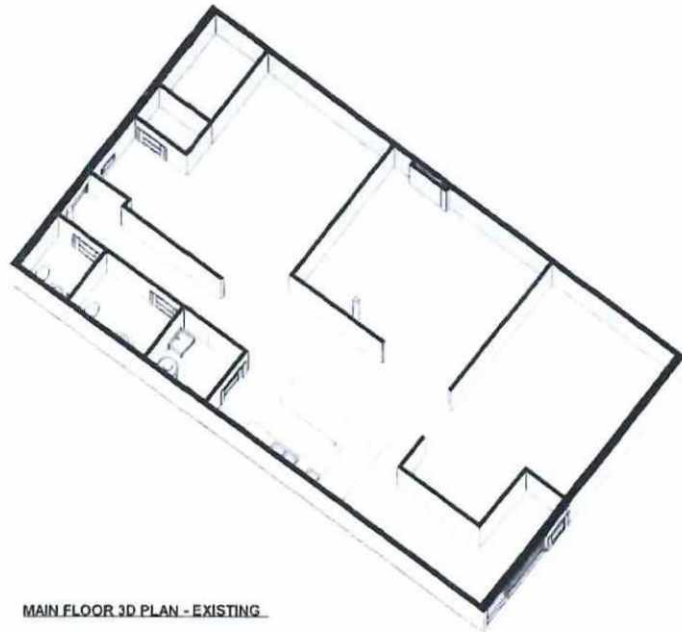
SHEET NO.
 10
 11
 12

13 May 2024
a1.1
 Issue #1

Revised for building permit

STANDARD INTERNATIONAL INC.

Johnny's Jukebox Diner



MAIN FLOOR 3D PLAN - EXISTING



MAIN FLOOR 3D PLAN - PROPOSED

TOTAL PERSONS
INCLUDING STAFF = 58

Reviewed by Chilliwack Fire Dept.

Heather Simpson LAFC# 3283

Date: August 1, 2024

mechanical engineer
Fire Protection Engineer
HVAC engineer
Plumbing design

EPro

www.eprosolutions.ca
778-224-8111
www.eprosolutions.ca

electrical engineer
Murphy Design Services Inc.

www.murphydesign.ca
778-224-8111
604-728-0773

24021

PROJECT NUMBER: 105-23-015

JWT
ARCHITECTURE
AND PLANNING

www.jwt.ca
100 West 7th Avenue, Vancouver, BC V6C 2M7



GULIKER
ENGINEERS INC.

604-824-2774

www.guliker.ca
100 West 7th Avenue, Vancouver, BC V6C 2M7

NO.	TITLE
1	COVER SHEET
2	GENERAL NOTES
3	MECHANICAL
4	ELECTRICAL
5	PLUMBING
6	CONCRETE
7	FOUNDATION
8	STRUCTURAL
9	EXTERIOR FINISHES
10	INTERIOR FINISHES
11	MECHANICAL
12	ELECTRICAL
13	PLUMBING
14	CONCRETE
15	FOUNDATION
16	STRUCTURAL
17	EXTERIOR FINISHES
18	INTERIOR FINISHES
19	MECHANICAL
20	ELECTRICAL
21	PLUMBING
22	CONCRETE
23	FOUNDATION
24	STRUCTURAL
25	EXTERIOR FINISHES
26	INTERIOR FINISHES
27	MECHANICAL
28	ELECTRICAL
29	PLUMBING
30	CONCRETE
31	FOUNDATION
32	STRUCTURAL
33	EXTERIOR FINISHES
34	INTERIOR FINISHES
35	MECHANICAL
36	ELECTRICAL
37	PLUMBING
38	CONCRETE
39	FOUNDATION
40	STRUCTURAL
41	EXTERIOR FINISHES
42	INTERIOR FINISHES
43	MECHANICAL
44	ELECTRICAL
45	PLUMBING
46	CONCRETE
47	FOUNDATION
48	STRUCTURAL
49	EXTERIOR FINISHES
50	INTERIOR FINISHES

DATE: 12 May 2024

a1.1

ISSUE #1

Issued for building permit

October3,2024

To Whom it May Concern

This is my letter of intent for my Patron Participation application for Johnny's Jukebox Diner located at 2-45966 Yale Rd, Chilliwack, BC V2P 2M3.

We are asking for this to be approved for Patrons of our diner to be able to participate in Karaoke, paint nights and live music events.

Thank you for your consideration

Kristina Rus

Owner @ Johnny's Jukebox Diner