

File No.: 04-1000-20-2019-398

October 25, 2019

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of June 27, 2019 for:

**All of Kathryn Holm's and Scott Edwards' internal correspondence regarding the patio and liquor license at 1109 Hamilton (Tabletop Group's Elisa Steakhouse).
Date Range: March 15, 2019 to June 27, 2019.**

All responsive records are attached. Some information in the records has been severed, (blacked out), under s13(1), s.17(1), s.21(1), and s.22(1) of the Act. You can read or download this section here:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2019-398); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,



Barbara J. Van Fraassen, BA
Director, Access to Information & Privacy

Barbara.vanfraassen@vancouver.ca
453 W. 12th Avenue Vancouver BC V5Y 1V4

*If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604.871.6584.

Encl.

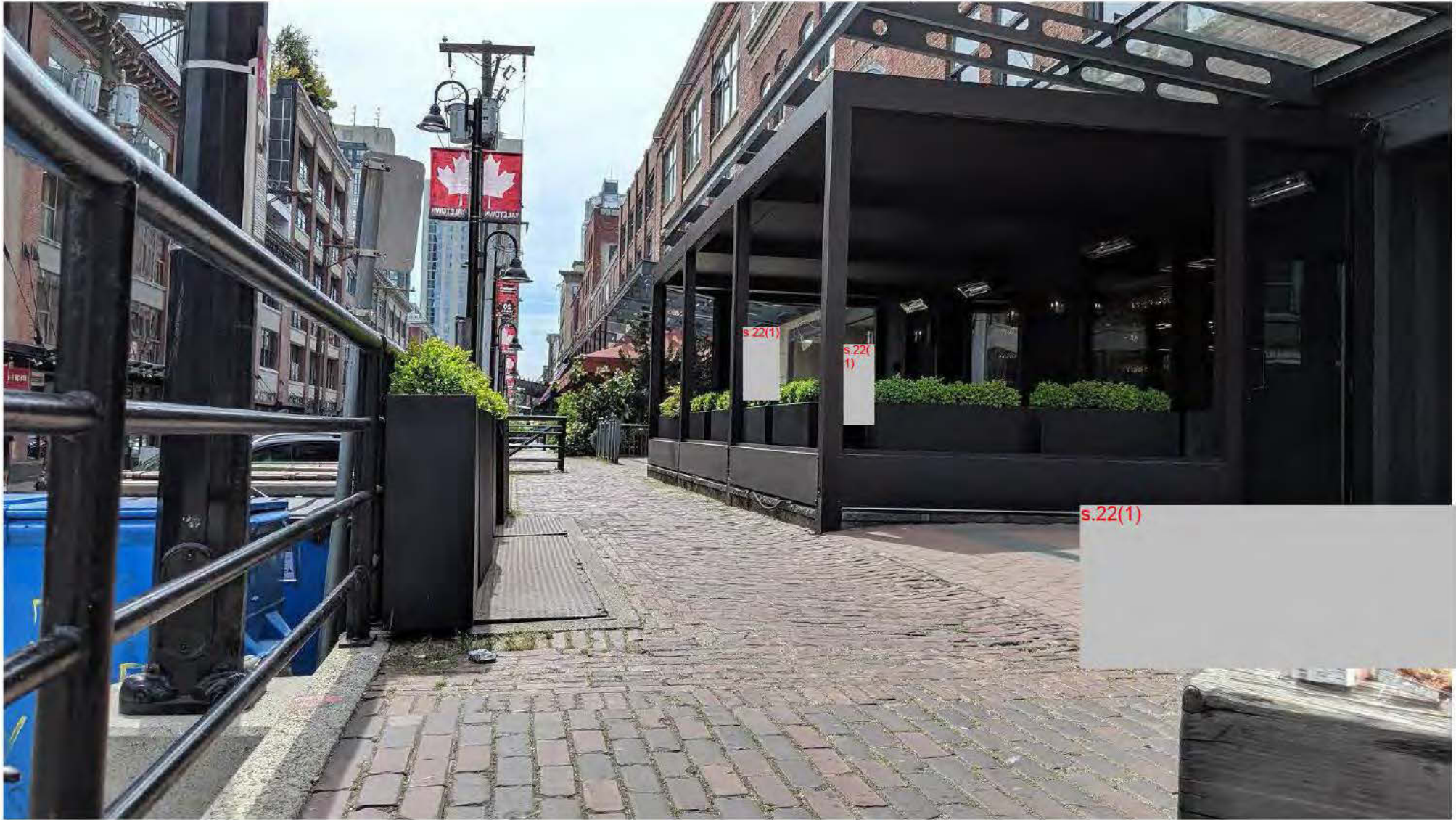
:ma

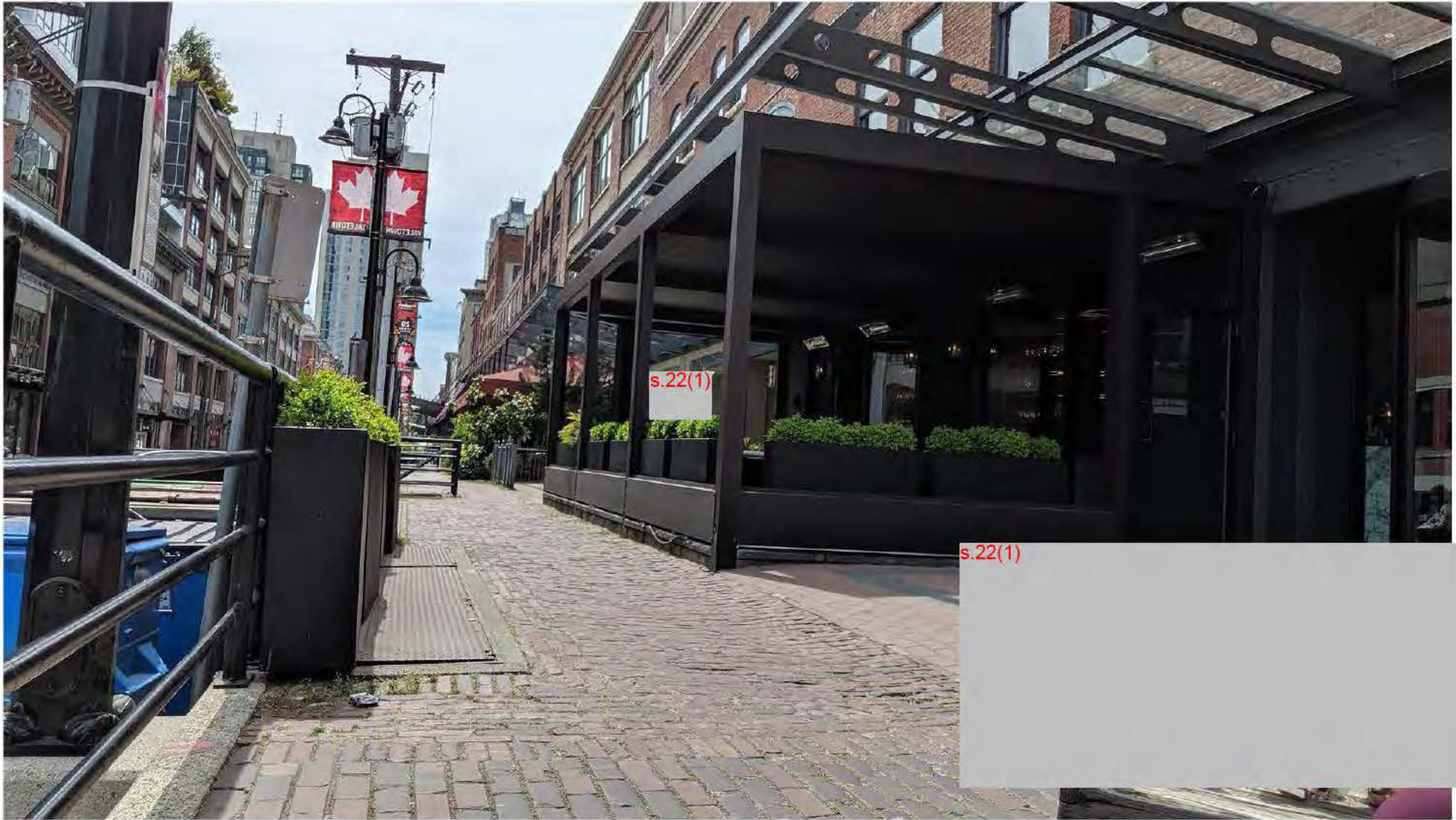
From: "Cotiangco, Melanie" <Melanie.Cotiangco@vancouver.ca>
To: "Edwards, Scott" <scott.edwards@vancouver.ca>
CC: "Chow, Linda" <linda.chow@vancouver.ca>
"Hoang, Anthony" <Anthony.Hoang@vancouver.ca>
Date: 6/18/2019 9:17:51 AM
Subject: 1109 Hamilton St (Elisa pictures)
Attachments: IMG_20190617_141858.jpg
IMG_20190617_141914.jpg
IMG_20190617_141918.jpg

Melanie Cotiangco

Street Activities Branch
Engineering Services | City of Vancouver
604-829-4357 | melanie.cotiangco@vancouver.ca







From: "Edwards, Scott" <scott.edwards@vancouver.ca>
To: "Hoang, Anthony" <Anthony.Hoang@vancouver.ca>
Date: 5/21/2019 3:07:06 PM
Subject: FW: Elisa - TEMPORARY Large Patio Permit

FYI

From: Edwards, Scott
Sent: Friday, May 17, 2019 2:32 PM
To: Bill Aujla (bill.aujla@aquilini.com); Michael Doyle (Michael.Doyle@canucks.com)
Subject: Elisa - TEMPORARY Large Patio Permit

Hello Bill and Michael,

Thank you for meeting on-site to discuss the patio located at 1109 Hamilton for Elisa restaurant. I appreciate your willingness to work together to address the concerns and issues which I raised on behalf of the City. Perhaps most significant of which is the installation of a structure which encloses and privatizes this public space. The patio program is intended to support businesses and activate the public realm by providing a transitional use between the private business and public open space.

While we continue our process and discussions related to reviewing and modifying the recently installed structure, you asked if an interim approval could be granted. This would allow the Elisa restaurant to support its first year of operation which, as you pointed out, is often the most challenging period.

The City is willing to grant an interim large patio permit for the summer period (ending October 31, 2019) on the following conditions:

- That all necessary fees are paid and insurance documentation is provided.
- That you agree to continue to work with the City to address the issues related to the current structure.
- That you seek all necessary approvals for any modifications associated with the current and or updated design of the patio.
- That should these discussions fail to address the concerns of the City that the patio will be restored to the design which was reviewed and approved by the City as per the license agreement signed by Margaret Wittgens, Director, Public Space and Street Use, on Nov 13, 2018, or that the patio be removed and the Yaletown dock which has been modified by the installation of the current structure be restored to the original condition.
- Extension of the patio permit beyond October 31, 2019 will be granted upon resolution of these issues.
- Additional requirements and obligations may arise through our discussions and it is expected that these too will be addressed.

Regarding the process to date, I am hoping that your team can share the background information that was offered during our site meeting. There seemed to be some misunderstanding regarding process and approvals and I wanted to review the steps and the information provided to your team to see if there are improvements that can be made within our patio review and approval process.

Sincerely,

Scott

Scott Edwards, P.Eng, M.Eng.
Manager, Street Use & Public Bike Share
CITY OF VANCOUVER
320 - 507 West Broadway
Vancouver, B.C. V5Z 0B4
w. 604.873.7320
f. 604.873.7255
e. scott.edwards@vancouver.ca



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From: "Edwards, Scott" <scott.edwards@vancouver.ca>
To: "Chow, Linda" <linda.chow@vancouver.ca>
Date: 3/21/2019 4:23:03 PM
Subject: FW: Elisa Patio

Can you ask Dale to summarize the major timeline milestones:

- before picture
- request for approval of patio as part of license agreement. Photos etc.
- signing of license agreement by COV and when it was sent to applicant
- time of field inspection in which it was noticed that structure (with utilities) was added.

There may be more, these come to mind.

Scott

From: Bill Aujla [mailto:bill.aujla@aquilini.com]
Sent: Thursday, March 21, 2019 12:14 PM
To: Edwards, Scott
Subject: Elisa Patio

Hi Scott,
Thanks for your time today to discuss the Elisa Patio permits and outstanding issues.
Look forward to receiving the timeline info RE permit and work, etc.
I'll connect with the team here when I have this info.

Thanks also for making time to meet in early April when you are back.

Have a great vacation!

Sincerely,
Bill

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From: "Jankovic, Zlatan" <zlatan.jankovic@vancouver.ca>
To: "Edwards, Scott" <scott.edwards@vancouver.ca>
CC: "Olinek, Jason" <Jason.Olinek@vancouver.ca>
Date: 3/8/2019 2:04:41 PM
Subject: FW: Elisa Patio Site (formerly Milestones Restaurant) - Google 2015 Pictures

Hi Scott,

Please review the emails below and let me know if you are ready to meet with the proponent to discuss next steps.
Thank you,
Zlatan

Thank you,
Zlatan

Zlatan Jankovic M.Sc. Arch. & Urb.
Senior Heritage Planner
Planning, Urban Design & Sustainability
City of Vancouver

(604) 871-6448
zlatan.jankovic@vancouver.ca

From: Bill Aujla [mailto:bill.aujla@aquilini.com]
Sent: Friday, March 08, 2019 12:43 PM
To: Michael Doyle; Jankovic, Zlatan
Cc: Jim Johnston
Subject: RE: Elisa Patio Site (formerly Milestones Restaurant) - Google 2015 Pictures

Thanks Michael for the additional information.

Hi Zlatan,
Please let us know your availability and of other staff; the issues identified by the City (based on the new information, I understand) were created before our acquisition of the site.
We want to seek your guidance to move this along at the City's earliest convenience; therefore, as discussed, a face-to-face meeting would be most helpful for our project team.

Please do not hesitate to call me if questions or need to discuss further.

Sincerely,
Bill

From: Michael Doyle <Michael.Doyle@canucks.com>
Sent: March 8, 2019 11:39 AM
To: Bill Aujla <bill.aujla@aquilini.com>
Cc: Jankovic, Zlatan <zlatan.jankovic@vancouver.ca>; Jim Johnston <Jim.Johnston@canucks.com>
Subject: Re: Elisa Patio Site (formerly Milestones Restaurant) - Google 2015 Pictures

Hi Zlatan

I also wanted to confirm that we did not alter the structure /Canopy above the patio. We have put up a temporary Patio

that follows the city bylaws that if required we can remove in 24 hours. It is a temporary patio just like all the other restaurants in Yaletown.

We would really like to work with the city to ensure that we are doing this the right way and can be operational for spring with the Patio.

Please let me know what we can do to help get you anything else required for us to move forward.

Thanks

Michael

Sent from my iPhone

On Mar 1, 2019, at 11:49 AM, Bill Aujla <bill.aujla@aquilini.com> wrote:

Hi Zlatan,

Further to our conversations, I wanted to clarify a few points.

We reviewed what work our contractor was doing, and it was limited.

We did not remove the pavers ... please find attached pictures of the Milestones space prior to us buying the property.

It is clearly a concrete slab and there are no red bricks on any part of the patio. Also, the patio of Urban Thai Bistro we just took over right beside Elisa is a concrete slab as well.

As noted, we (copying my colleagues – Michael and Jim) would appreciate meeting with yourself and Engineering reps (along with our architect) to discuss this matter and get your guidance on how best to expediate this matter so that we design, get permits and develop the patio which is a positive addition to our community in this neighbourhood.

Please do not hesitate to call me if you have any questions.

Have a great weekend!

Thanks,
Bill

[cid:BD69F731-D83B-4495-AF5D-B71F972CF71B]

[cid:EA68F8DA-DD69-47D5-9CB7-B3F6BC86F349]

[cid:2DF353A9-3012-4FE8-8767-94A05788BA22]

[cid:59A35410-8A23-40F9-A11E-4371D1BAD689]

[cid:59A35410-8A23-40F9-A11E-4371D1BAD689]

[cid:594A4B58-BB84-4856-AEFB-BF5A7D4BF948]

<Elisa Steakhouse May 2015 Street View..png>

<Elisa Steakhouse May 2015..png>

<Elisa Steakhouse 2015 Street View.. .png>

<Elisa Steakhouse 2015 Street View Close Up.png>

<Elisa Steakhouse 2015 Steet View .png>

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From: "Edwards, Scott" <scott.edwards@vancouver.ca>
To: "Hoang, Anthony" <Anthony.Hoang@vancouver.ca>
CC: "Chow, Linda" <linda.chow@vancouver.ca>

Date: 5/21/2019 2:47:49 PM

Subject: FW: Elisa Patio

Attachments: Elisa Patio Insurance.pdf
ATT00001.htm
Elisa Patio Permit Payment Receipt.pdf
ATT00002.htm
Elisa Patio Permit.pdf
ATT00003.htm

Hi Anthony,
FYI - Can we chat about this patio again.
Scott

From: Michael Doyle [mailto:michael@toptable.ca]
Sent: Tuesday, May 21, 2019 12:24 PM
To: Edwards, Scott; Bill Aujla
Subject: Elisa Patio

Hi Scott

See below for all of the information you have requested for on the Patio at ELISA. Thanks again for all your help.

Michael



LIABILITY INSURANCE CERTIFICATE STREET ACTIVITIES

NOTE: INSURANCE COMPANIES MUST BE LICENSED TO CONDUCT BUSINESS IN BRITISH COLUMBIA

1. THIS CERTIFICATE IS ISSUED TO: City of Vancouver – Engineering Services, Street Use, Street Activities
320 – 507 West Broadway, Vancouver, BC, V5Z 0B4
Fax: (604) 873-7255 Email: street.activities@vancouver.ca
and certifies that the insurance policy (policies) as listed herein has/have been issued to the Named Insured and is/are in full force and effect as of the effective date of the agreement described below.
2. NAMED INSURED [must be the same name as the Permittee/Licensee or Party(ies) to Contract and is/are either an individual(s) or a legally incorporated company(ies)]

Aquilini Restaurants Limited Partnership dba Elysa - 1109 Hamilton Street

BUSINESS TRADE NAME OR DOING BUSINESS AS

89 W. Georgia Street, Vancouver, B.C., V6B 0N8

BUSINESS ADDRESS

1109 Hamilton Street, Vancouver, B.C., V6B 5P6

DESCRIPTION OF OPERATION, CONTRACT, AGREEMENT, LEASE, PERMIT OR LICENSE

Sidewalk Cafe

3. COMMERCIAL GENERAL LIABILITY INSURANCE (Occurrence Form)

Including the following coverages:

- ☒ Personal Injury
- ☒ Employees as Additional Insureds
- ☒ Cross Liability or Severability of Interest
- ☒ Contingent Employer's Liability

- ☒ Blanket Contractual Liability
- ☒ Broad Form Products & Completed Operations
- ☒ Broad Form Property Damage incl. Loss of Use
- ☒ Non-Owned Auto Liability

Check additional extension where applicable:

☐ Host Liquor Liability

Limits of Liability (Bodily Injury and Property Damage Inclusive)

INSURER: s.21(1) Per Occurrence \$ s.21(1)
POLICY NUMBER: s.21(1) Aggregate \$ s.21(1)
POLICY PERIOD: From 03/17/2018 to 03/17/2019
MM/DD/YY MM/DD/YY Deductible per occurrence \$ s.21(1)

4. ☐ UMBRELLA OR ☐ EXCESS LIABILITY INSURANCE

INSURER: _____ Limits of Liability (Bodily Injury and Property Damage Inclusive) -
Per Occurrence \$ _____
POLICY NUMBER: _____ Aggregate \$ _____
POLICY PERIOD: From _____ to _____
MM/DD/YY MM/DD/YY Self-Insured Retention \$ _____

5. POLICY PROVISIONS

Where required by the governing contract, agreement, lease, permit or license, it is understood and agreed that:

- a) The City of Vancouver, its officials, officers, employees, servants and agents have been added as Additional Insureds with respect to liability arising out of the operation of the Named Insured pursuant to the governing contract, agreement, lease, permit or license.
- b) THIRTY (30) days written notice of cancellation or material change resulting in reduction of coverage with respect to any of the policies listed herein, either in part or in whole, will be given by the Insurer to the Holder of this Certificate; the exception is cancellation for non-payment of premiums in which case the applicable statutory conditions will apply.
- c) The insurance policy (policies) listed herein shall be primary with respect to liability arising out of the operation of the Named Insured. Any insurance or self-insurance maintained by the City of Vancouver shall be in excess of this insurance and shall not contribute to it.

SIGNED BY THE INSURER OR ITS AUTHORIZED REPRESENTATIVE

Sue Waterman, F.I.I.C.

Date NOV. 14, 2018
MM/DD/YY

NAME OF THE INSURER OR ITS AUTHORIZED REPRESENTATIVE

AGENCY INTERCON INSURANCE SERVICES LIMITED ADDRESS & PHONE NUMBER

PER [Signature]

INTERCON INSURANCE SERVICES LIMITED
#700- 889 W. PENDER STREET
VANCOUVER, B.C., V6C 3B2, TEL: 604-228-1191

couver
2th Avenue
British Columbia
Y 1V4



SA-2018-00129

Printed: Aug 13, 2018

Received at:
City of Vancouver - EngClient 01

Payment Notice

Fees for: Street Activities Permit SA-2018-00129

Receipt: 99923/22 Aug 14, 2018
Dated: Aug 14, 2018 01:00:35 PM
Station: ECD1/DEP51

Location

1109 HAMILTON STREET
Vancouver, BC V6B 5P6

PPMT SA-2018-00129 5,578.71

Total 5,578.71

CHEQUE AQUILINI RESTAURANTS -5,578.71

	Fee Amount	Tax	Fee Total
Permit Fee	5,313.06	265.65	5,578.71
Total:	5,313.06	265.65	5,578.71



SA-2018-00129

This is not a Permit or a License and does not provide authorization for work to proceed or business related activities to occur.

**Fees may have changed or additional charges applied since receiving this notice.*

City of Vancouver
Receipt: 99923/22
Dated: Aug 14, 2018
Station: ECD1/DEP51
PPMT SA-2018-00129
PAID BY: CHEQUE

Aug 14, 2018
01:00:22 PM
5,578.71



Sidewalk Patio (Large) Permit

SA-2018-00129

City of Vancouver
453 West 12th Avenue
Vancouver, British Columbia
Canada V5Y 1V4

Issue Date: Nov 14, 2018

Application Date: Mar 22, 2018

Effective Date: Apr 01, 2018

Expiry Date: Mar 31, 2019

Applicant

Aaron Amos
89 W Georgia
Vancouver, BC V6B 0N8

Location of Permit

1109 HAMILTON STREET
Vancouver, BC V6B 5P6

Related Permits:

Specific Location: The work (though limited), will take place on the east end of the restaurant. The patio extends towards the street. It is on the first floor.

Project:

Legal Description: STRATA LOT 3 DISTRICT LOT 541 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN LMS3038 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

Land Coordinate:

Amendments

approved
approved

Work Description

Having purchased what was the Milestones in Yaletown, we will be using the patio as an extension of our full service restaurant seasonally as the climate permits.

Permit Details

Season:	Annual	Deck Proposed:	No
Location:	Downtown	Deck Approved:	
Area (sq. m):	58.6	Purpose:	
Will the proposed patio be on private property? No			

This permit shall be kept available on the site for presentation to Police Officers or City Inspectors.



Sidewalk Patio (Large) Permit

SA-2018-00129

City of Vancouver
453 West 12th Avenue
Vancouver, British Columbia
Canada V5Y 1V4

Terms & Conditions

- The permit holder shall ensure that service to the patio stop and all your customers be relocated inside your establishment by 11 pm.
- The permit holder shall ensure that smoking is not permitted on patios or within 6 metres of any customer service area (patio), doorway, open windows or fresh air vents.
- The permit holder shall ensure that the patio area is neat and tidy.
- The permit holder shall ensure that no signs are attached to the railings of your sidewalk patio.
- The permit holder shall ensure that the patio remains closed between the hours of 11 pm and 7 am the following business day, unless otherwise indicated on your business license.
- Additional seasonal seating permitted under this application only. Any increase in seating (interior and exterior seating) requires further review of VBBL and may require additional washrooms.

Permit Fees

Description	Amount	Tax Amounts	Fee Total	Fee Adjs	Pmts and Adjs	Balance
Sidewalk Large Patio Application Fee	\$212.24		\$212.24	\$-212.24	\$0.00	\$0.00
Sidewalk Large Patio Permit Fee	\$8,508.72	GST @ 5%: 425.44	\$8,934.16	\$-3,195.66	\$5,578.71	\$0.00
					Total:	\$0.00

Additional Notes

Book inspections by calling 3-1-1 within Vancouver or 604-873-7000 from outside Vancouver.

This permit shall be kept available on the site for presentation to Police Officers or City Inspectors.

From: "Jankovic, Zlatan" <zlatan.jankovic@vancouver.ca>

To: "Edwards, Scott" <scott.edwards@vancouver.ca>

CC: "Olinek, Jason" <Jason.Olinek@vancouver.ca>

"Haid, Susan" <Susan.Haid@vancouver.ca>

Date: 2/19/2019 6:16:35 PM

Subject: FW: Patio for Elisa Restaurant - 1109 Hamilton Street, Vancouver, BC

Hi Scott,

Bill Aujla has just advised that based on my email sent to him earlier today, his team would like to meet with you and me to discuss how to best move forward. He didn't dispute any of the wrong-doings, he is only interested in moving forward by reversing the damage, redoing the patio appropriately etc...whatever it takes (as he said) to get this properly processed and approved.

Would you be able to schedule a meeting with Bill and his team, and also invite whoever else you think should be at the table from the Engineering side?

Regards,
Zlatan

Zlatan Jankovic M.Sc. Arch. & Urb.
Senior Heritage Planner
Planning, Urban Design & Sustainability
City of Vancouver


(604) 871-6448
zlatan.jankovic@vancouver.ca

From: Bill Aujla [mailto:bill.aujla@aquilini.com]

Sent: Tuesday, February 19, 2019 11:38 AM

To: Jankovic, Zlatan

Subject: RE: Patio for Elisa Restaurant - 1109 Hamilton Street, Vancouver, BC

Are you able to chat on the phone  at your convenience

Thanks,
Bill

From: Jankovic, Zlatan <zlatan.jankovic@vancouver.ca>

Sent: February 19, 2019 11:30 AM

To: Bill Aujla <bill.aujla@aquilini.com>

Cc: Michael Doyle <Michael.Doyle@canucks.com>; Leigh Miles <Leigh.Miles@canucks.com>; Jim Johnston <Jim.Johnston@canucks.com>; Edwards, Scott <scott.edwards@vancouver.ca>; Olinek, Jason <Jason.Olinek@vancouver.ca>

Subject: RE: Patio for Elisa Restaurant - 1109 Hamilton Street, Vancouver, BC

Hi Bill,

Thank you for your email.

We had a chance to see and review some photos of the current condition of the patio at 1109 Hamilton Street, Vancouver, BC. Page 15 of 41

The proposed /constructed is not supportable. The patio floor modification and all related patio work were done without a permit.

The current condition should be reversed to the status before the intervention (before any of the work was done without a permit).

Just to remind, permits must be obtained prior to any changes to the exterior of the building, the patio surface, the patio use, the canopy or associated signs. I have consulted with Scott Edwards and Jason Olinek on this.

Please initiate steps to rectify the situation as soon as possible.

Hope this clarification helps,

Regards,

Zlatan

Zlatan Jankovic M.Sc. Arch. & Urb.
Senior Heritage Planner
Planning, Urban Design & Sustainability
City of Vancouver

(604) 871-6448

zlatan.jankovic@vancouver.ca

From: Bill Aujla [<mailto:bill.aujla@aquilini.com>]

Sent: Tuesday, February 19, 2019 10:18 AM

To: Jankovic, Zlatan

Cc: Michael Doyle; Leigh Miles; Jim Johnston

Subject: RE: Patio for Elisa Restaurant - 1109 Hamilton Street, Vancouver, BC

Hi Zlatan,

Just checking in on status of this matter. Any update greatly appreciated ☺Thanks!

Bill

From: Jankovic, Zlatan <zlatan.jankovic@vancouver.ca>

Sent: February 11, 2019 6:41 PM

To: Bill Aujla <bill.aujla@aquilini.com>

Cc: Dobrovolny, Jerry <jerry.dobrovolny@vancouver.ca>; Haid, Susan <Susan.Haid@vancouver.ca>; Michael Doyle <Michael.Doyle@canucks.com>; Leigh Miles <Leigh.Miles@canucks.com>; Jim Johnston <Jim.Johnston@canucks.com>; Edwards, Scott <scott.edwards@vancouver.ca>

Subject: RE: Patio for Elisa Restaurant - 1109 Hamilton Street, Vancouver, BC

Hi Bill,

Good to hear from you!

I will get some background on this and will contact you shortly to arrange for a meeting.

Regards,

Zlatan

Zlatan Jankovic M.Sc. Arch. & Urb.
Senior Heritage Planner
Planning, Urban Design & Sustainability
City of Vancouver

From: Bill Aujla [<mailto:bill.aujla@aquilini.com>]

Sent: Monday, February 11, 2019 12:58 PM

To: Jankovic, Zlatan

Cc: Dobrovolny, Jerry; Haid, Susan; Michael Doyle; Leigh Miles; Jim Johnston; Edwards, Scott

Subject: Patio for Elisa Restaurant - 1109 Hamilton Street, Vancouver, BC

Hi Zlatan,

Hope all is going well!

My colleagues – Michael Doyle and Jim Johnston have been working to get the patio for the Elisa Restaurant (1109 Hamilton Street, Vancouver) completed and open for business as soon as possible.

I understand that there remains an issue regarding addressing the heritage requirements for this work.

Could we meet with you to review what is proposed and how our team can best address the design requirements.

Please let us know your availability and we can schedule time to meet accordingly.

Thanks for your help with this matter.

Sincerely,

Bill

PS – I was speaking with Jerry Dobrovolny and Susan Haid, and they recommended that we reach out to yourself, and that Scott Edward's staff were also involved as this patio is on street right-of-way on that portion of Hamilton.

Please include other staff as you deem necessary for the meeting.

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From: "Low, Dale" <Dale.Low@vancouver.ca>

To: "Edwards, Scott" <scott.edwards@vancouver.ca>

Date: 4/8/2019 4:31:45 PM

Subject: RE: 1109 Hamilton St - Elisa Summary

Attachments: FW: 1109 Hamilton St.msg

Anthony just forwarded me the email, he said there was never a response

From: Hoang, Anthony

Sent: Friday, November 30, 2018 3:03 PM

To: Jim Johnston (Jim.Johnston@canucks.com)

Subject: 1109 Hamilton St

Hi Jim,

I happened to be in Yaletown and saw the patio (attached). The patio does not look like what we approved. Definitely, we did not approve the deck and awning with support beams from the patio. I need you to stop the work on the patio. And, you cannot use the patio until we decide what further actions are required. If not complied, your patio permit will be revoked.

If you have any further questions, please tell the owner to contact me. Also, please make sure that the owner knows about the stop work on the patio.

Thanks,

Anthony Hoang, BPI

Large Sidewalk Patio Coordinator | Street Activities

Engineering Services | City of Vancouver

604-829-2035 | anthony.hoang@vancouver.ca

From: Edwards, Scott

Sent: Monday, April 8, 2019 4:20 PM

To: Low, Dale

Subject: RE: 1109 Hamilton St - Elisa Summary

great summary – do we have a copy of the email that was sent to Jim Johnson?

“Nov 30, 2018 – Engineering Services became aware that unapproved construction had begun on patio (See Picture 3). An email was sent to Jim Johnston (agent for owner) telling Jim that the patio does not look like what the City approved and ask to stop the work on the patio”

From: Low, Dale

Sent: Monday, April 08, 2019 3:54 PM

To: Edwards, Scott

Subject: 1109 Hamilton St - Elisa Summary

Here you go, let me know if you have any questions.

Dale Low

Street Use

604-871-6300

From: "Hoang, Anthony" <Anthony.Hoang@vancouver.ca>
To: "Low, Dale" <Dale.Low@vancouver.ca>
Date: 4/8/2019 4:24:15 PM
Subject: FW: 1109 Hamiton St
Attachments: IMG_0937.jpg

Below is the email.

Thanks Dale

Anthony

From: Hoang, Anthony
Sent: Friday, November 30, 2018 3:03 PM
To: Jim Johnston (Jim.Johnston@canucks.com)
Subject: 1109 Hamiton St

Hi Jim,

I happened to be in Yaletown and saw the patio (attached). The patio does not look like what we approved. Definitely, we did not approve the deck and awning with support beams from the patio. I need you to stop the work on the patio. And, you cannot use the patio until we decide what further actions are required. If not complied, your patio permit will be revoked.

If you have any further questions, please tell the owner to contact me. Also, please make sure that the owner knows about the stop work on the patio.

Thanks,

Anthony Hoang, BPI
Large Sidewalk Patio Coordinator | Street Activities
Engineering Services | City of Vancouver
604-829-2035 | anthony.hoang@vancouver.ca



From: "Edwards, Scott" <scott.edwards@vancouver.ca>
To: "Chow, Linda" <linda.chow@vancouver.ca>
Date: 5/16/2019 9:41:58 AM
Subject: RE: ELISA

Can we chat about this DRAFT

Hello Bill

s.13(1)

Regarding the process to date, I am hoping that your team can share the background information that was offered during our site meeting. There seemed to be some misunderstanding regarding process and approvals and I wanted to review the steps and the information provided to your team to see if there are improvements that can be made within our patio review and approval process.

Thanks in advance,

Scott

Scott Edwards, P.Eng, M.Eng.

Manager, Street Use & Public Bike Share

CITY OF VANCOUVER

320 - 507 West Broadway

Vancouver, B.C. V5Z 0B4

w. 604.873.7320

f. 604.873.7255

e. scott.edwards@vancouver.ca



CONFIDENTIALITY NOTICE: This message and any accompanying documents contain confidential information intended for a specific individual and purpose. This message is private and protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution, or the taking of any action based on the contents of this information, is strictly prohibited.

From: "Anderson, Kelly" <Kelly.Anderson@vancouver.ca>
To: "White, Phil" <Phil.White@vancouver.ca>
"White, Wayne" <wayne.white@vancouver.ca>
"Shannon, Mike" <mike.shannon@vancouver.ca>
"Rowley, Jason" <Jason.Rowley@vancouver.ca>
CC: "Ryan, Pat (CBO)" <patrick.ryan@vancouver.ca>
"Edwards, Scott" <scott.edwards@vancouver.ca>
Date: 6/17/2019 2:39:44 PM
Subject: RE: Elisa Patio

Thanks, Phil.

Mike/Jason – any feedback on the electrical side?

Kelly

From: White, Phil
Sent: Monday, June 17, 2019 11:08 AM
To: Anderson, Kelly; White, Wayne
Cc: Ryan, Pat (CBO); Edwards, Scott
Subject: RE: Elisa Patio

At the time of inspection there was no gas appliances on the patio, I believe the heaters were electric.

Regards,

Phillip White

Gas Safety Manager
Manager, Plumbing, Gas and Sprinkler Inspections
Development, Buildings and Licensing
515 West 10th Avenue, Vancouver, BC, V5Z 4A8
604 873 7609
phil.white@vancouver.ca



From: Anderson, Kelly
Sent: Monday, June 17, 2019 11:03 AM
To: White, Wayne; White, Phil
Cc: Ryan, Pat (CBO); Edwards, Scott
Subject: RE: Elisa Patio

Wayne and Phil,

I was just meeting with Scott Edwards about patios in general, and he asked me to follow up on this one. Was there a summary from Jim Docherty?

Thanks,

Kelly

From: White, Wayne
Sent: Friday, May 03, 2019 11:05 AM
To: Ryan, Pat (CBO); Anderson, Kelly; White, Phil
Cc: Edwards, Scott
Subject: RE: Elisa Patio

Hi Pat,

I've contacted my DEI Jim Docherty and I sent him the photos. He will let me now this afternoon when he returns to the office.

Wayne

From: Ryan, Pat (CBO)
Sent: Thursday, May 02, 2019 8:42 PM
To: Anderson, Kelly; White, Wayne; White, Phil
Cc: Edwards, Scott
Subject: Fwd: Elisa Patio

Wayne and Phil

Can you go over this for the electoral and gas issues.

Thx

Pat

Pat Ryan M.Sc., P.Eng.
Chief Building Official
City of Vancouver

Begin forwarded message:

From: "Edwards, Scott" <scott.edwards@vancouver.ca>
Date: April 24, 2019 at 1:12:48 PM PDT
To: "Ryan, Pat (CBO)" <patrick.ryan@vancouver.ca>, "Olinek, Jason" <Jason.Olinek@vancouver.ca>, "Jankovic, Zlatan" <zlatan.jankovic@vancouver.ca>, "Clark, Brenda" <Brenda.Clark@vancouver.ca>, "Au, Michelle" <Michelle.Au@vancouver.ca>, "So, Mandy" <mandy.so@vancouver.ca>
Cc: "Chow, Linda" <linda.chow@vancouver.ca>
Subject: FW: Elisa Patio

Hello all,

As you can see from the email chain below, I have shared a high level summary of the concerns regarding the development of the new patio for the Elisa restaurant. While I appreciate that the patio itself is not on private property and therefore, I have engaged with Bill Aujla, there are utilities and connections to the private site that I believe the City should comment on. I am looking for your support to clarify what should be allowed, or permitted, and what reviews are typically done in situations where utilities are being brought

from private lands onto public space.

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I will continue to engage with Bill Aujla and will provide further updates as this moves forward.

Thanks in advance,
Scott

From: Edwards, Scott
Sent: Monday, April 08, 2019 4:57 PM
To: 'Bill Aujla'
Subject: RE: Elisa Patio

Hello again Bill,

Below is a brief summary of the key milestones that are the basis of the concern. Based upon the original application, it is very disconcerting for me to review this and see the steps taken and where we are now.

Call me at your convenience.

Scott

RE: Patio at 1109 Hamilton St

Mar 22, 2018 - Engineering Services received an application from Aaron Amos for a change to the existing patio at 1109 Hamilton St. The patio application was incomplete (missing detailed drawings of proposed patio).

Jun 18, 2018 – Site was reviewed by patio program coordinator; previously approved patio was in place (see picture 1).

From: "Edwards, Scott" <scott.edwards@vancouver.ca>
To: "Anderson, Kelly" <Kelly.Anderson@vancouver.ca>
Date: 6/17/2019 12:26:32 PM
Subject: RE: Elisa Patio

thank you so much!

From: Anderson, Kelly
Sent: Monday, June 17, 2019 11:02 AM
To: Edwards, Scott
Subject: RE: Elisa Patio

Thanks, Scott. Pat forwarded this to our management team when he received it, and asked for electrical and gas inspectors to visit the site to determine what's been done. I wasn't included in the email chain after that so I'm not sure the outcome. I'll follow up and get a response for you.

In the meantime I'll get those minimum dimensions to you and Anthony and Linda.

Thanks,
Kelly

From: Edwards, Scott
Sent: Monday, June 17, 2019 10:52 AM
To: Anderson, Kelly
Subject: FW: Elisa Patio

as mentioned this morning. Here is the summary I share with others.

Scott

From: Edwards, Scott
Sent: Wednesday, April 24, 2019 1:13 PM
To: Ryan, Pat (CBO); Olinek, Jason; Jankovic, Zlatan; Clark, Brenda; Au, Michelle; So, Mandy
Cc: Chow, Linda
Subject: FW: Elisa Patio

Hello all,

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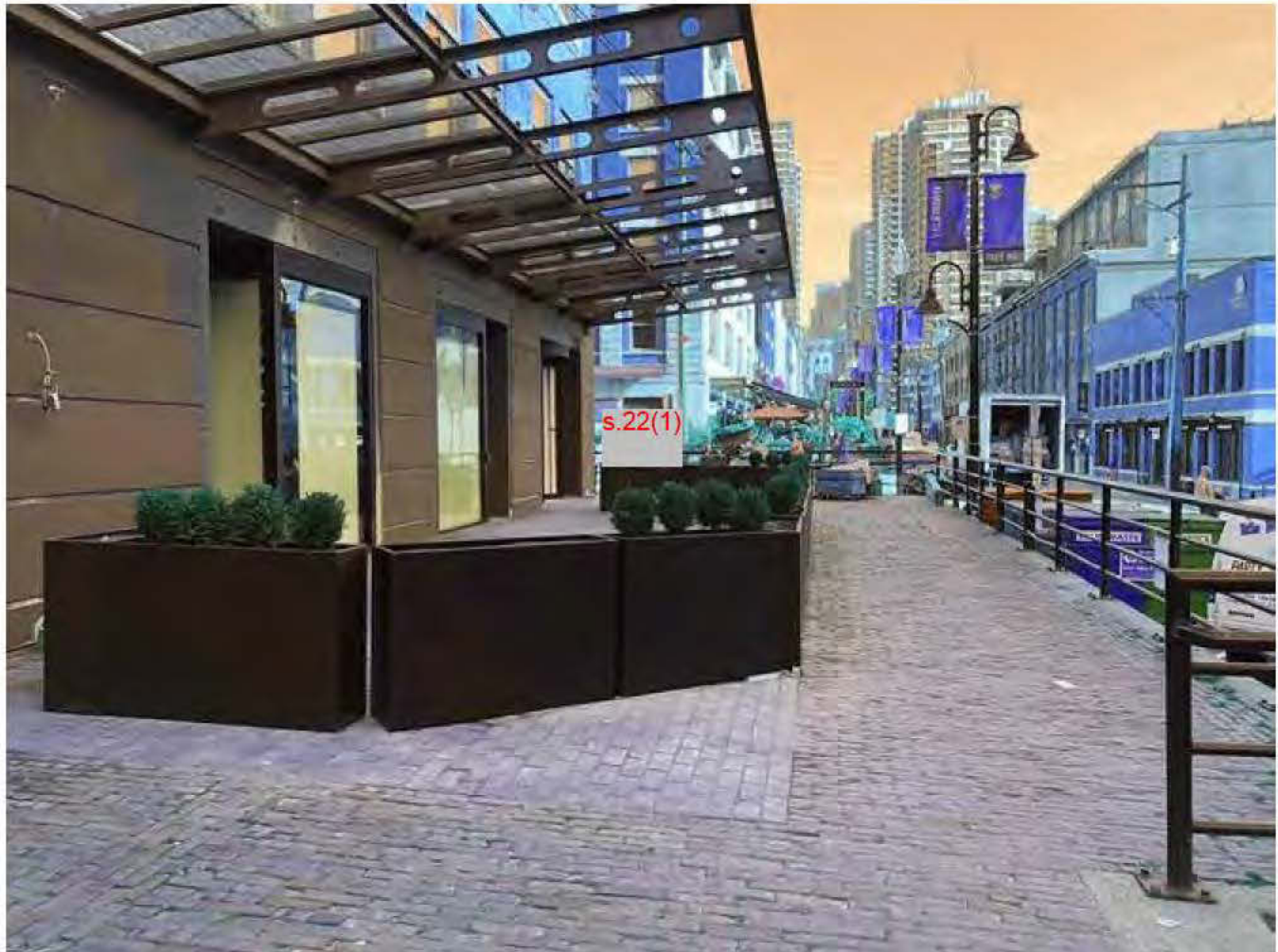


Picture 1: Previously approved patio (Jun 18, 2018)

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Picture 3: Unapproved construction on Patio (Nov 30, 2018)

Jan 16, 2019 – Field check of patio showed further unapproved construction of patio (Picture 4).



Picture 4: Further constructed patio (Jan 16, 2019)

From: Bill Aujla [mailto:bill.aujla@aquilini.com]
Sent: Monday, April 08, 2019 2:12 PM
To: Edwards, Scott
Subject: Re: Elisa Patio

Thanks Scott! Very much appreciated!

Chat soon

From: "Anderson, Kelly" <Kelly.Anderson@vancouver.ca>
To: "Shannon, Mike" <mike.shannon@vancouver.ca>
CC: "White, Wayne" <wayne.white@vancouver.ca>
"Rowley, Jason" <Jason.Rowley@vancouver.ca>
"Thornley, Andrew" <andrew.thornley@vancouver.ca>
"Ryan, Pat \\\(CBO\\)" <patrick.ryan@vancouver.ca>
"Edwards, Scott" <scott.edwards@vancouver.ca>
Date: 6/17/2019 2:46:55 PM
Subject: RE: Elisa Patio

Thanks, Mike. Looping back in Scott Edwards to pursue from the Engineering side as well.

Kelly

From: Shannon, Mike
Sent: Monday, June 17, 2019 2:40 PM
To: Anderson, Kelly
Cc: White, Wayne; Rowley, Jason; Thornley, Andrew
Subject: RE: Elisa Patio

Kelly,
After talking to Jim, he said he updated Wayne on this. Jim spoke to the GC whom did the restaurant, the Electrical Contractor that did the restaurant wiring did not do the exterior patio wiring. Jim indicated that the outdoor wiring does not meet the minimum requirements of the CEC, there is not an Electrical permit for the outdoor wiring. The GC did not know who did the outdoor wiring, Jim left him a business card and asked him to pass it to the restaurant Manager.

Mike.

Mike Shannon
Assistant Trades Manager
Deputy City Electrician
City of Vancouver
Development, Building and Licencing
Trades Inspections, Electrical
Tel: 604.873.7836
Mike.shannon@vancouver.ca
[EL Inspections Info \(& subscription\)](#)

Electrical Safety is Paramount

Our mission is to provide effective electrical service to our customers,
in order to maintain a safe electrical environment for the people of
The City of Vancouver

From: Anderson, Kelly
Sent: Monday, June 17, 2019 11:04 AM
To: Shannon, Mike; Rowley, Jason; White, Phil
Cc: Ryan, Pat (CBO); Edwards, Scott; White, Wayne
Subject: RE: Elisa Patio

Mike and Jason,

In Wayne's absence, wondering if you can look into this for me please, on Pat's behalf?

Thanks,
Kelly

From: Anderson, Kelly
Sent: Monday, June 17, 2019 11:03 AM
To: White, Wayne; White, Phil
Cc: Ryan, Pat (CBO); Edwards, Scott
Subject: RE: Elisa Patio

Wayne and Phil,

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Jun 18, 2018 – Site was reviewed by patio program coordinator; previously approved patio was in place (see picture 1).

From: "Mochrie, Paul" <Paul.Mochrie@vancouver.ca>
To: "Lam, Matthew" <matthew.lam@vancouver.ca>
"Dobrovolny, Jerry" <jerry.dobrovolny@vancouver.ca>
CC: "Holm, Kathryn" <Kathryn.Holm@vancouver.ca>
"Ryan, Pat \ (CBO)" <patrick.ryan@vancouver.ca>
"City Engineer" <CityEngineer@vancouver.ca>
Date: 3/28/2019 6:14:20 PM
Subject: RE: Smoky, Lung-Choking Chaos in Downtown Vancouver

Many thanks Matthew. Is Kevin going to let you know the outcome?


Paul

From: Lam, Matthew
Sent: Thursday, March 28, 2019 4:26 PM
To: Mochrie, Paul; Dobrovolny, Jerry
Cc: Holm, Kathryn; Ryan, Pat (CBO); City Engineer
Subject: RE: Smoky, Lung-Choking Chaos in Downtown Vancouver

I have reached out to Kevin Stock, Senior Policy Analyst, Environmental Regulation & Enforcement, at Metro Vancouver with the particular information regarding Elisa Steakhouse (1109 Hamilton) and that he will follow-up with the operator of the business.

Matthew

From: Mochrie, Paul
Sent: Thursday, March 28, 2019 10:47 AM
To: Dobrovolny, Jerry
Cc: Lam, Matthew; Holm, Kathryn; Ryan, Pat (CBO); City Engineer
Subject: RE: Smoky, Lung-Choking Chaos in Downtown Vancouver

Apologies  have responded.

Paul

From: Dobrovolny, Jerry
Sent: Thursday, March 28, 2019 10:47 AM
To: Mochrie, Paul
Cc: Lam, Matthew; Holm, Kathryn; Ryan, Pat (CBO); City Engineer
Subject: Re: Smoky, Lung-Choking Chaos in Downtown Vancouver

Paul, will you get back to the Councillor or should I?

Thanks

Jerry

Sent from my iPhone

On Mar 28, 2019, at 7:59 AM, Mochrie, Paul <Paul.Mochrie@vancouver.ca> wrote:

Thanks all for the comments below.

Matthew per your note, if your team can follow up with Metro to understand their response this situation, that would be very helpful.

Cheers,
Paul

From: Lam, Matthew
Sent: Monday, March 25, 2019 5:46 PM
To: Holm, Kathryn; Dobrovolny, Jerry; Ryan, Pat (CBO)
Cc: Mochrie, Paul
Subject: RE: Smoky, Lung-Choking Chaos in Downtown Vancouver

This is an aspect that MetroVancouver regulates under their air quality requirements and is required to obtain a permit from this authority. I have to see what we have on file from a permitting perspective, as Building only have authority of how wood is burned and stored within the building and how the associated risks are managed.

Building Review has a contact with MetroVancouver and can follow up accordingly.

Matthew

From: Holm, Kathryn
Sent: Monday, March 25, 2019 12:35 PM
To: Dobrovolny, Jerry; Ryan, Pat (CBO); Lam, Matthew
Cc: Mochrie, Paul
Subject: RE: Smoky, Lung-Choking Chaos in Downtown Vancouver

Hi, thanks for sending.

I would suggest Metro and VCH as the best start. I'm not aware of any by-laws under CLI authority that will address odour or smoke.

Matthew, in Pat's absence, are you able to comment on any by-law authority in the Building by-law to require the owner to address the smoke emissions?

Thanks,
Kathryn

From: Dobrovolny, Jerry
Sent: Monday, March 25, 2019 8:49 AM
To: Holm, Kathryn; Ryan, Pat (CBO)
Cc: Mochrie, Paul
Subject: FW: Smoky, Lung-Choking Chaos in Downtown Vancouver

Kathryn/Pat

Who do you suggest lead this? Metro, Coastal Health, you guys or all three?

From: Dominato, Lisa
Sent: Monday, March 25, 2019 7:19 AM
To: Mochrie, Paul; Dobrovolny, Jerry
Cc: Wong, Tamarra
Subject: Fwd: Smoky, Lung-Choking Chaos in Downtown Vancouver

Hi Paul, Jerry,

Who would I direct this to within the city? I will do a brief response but would appreciate some background in terms of what the business is expected to do/fulfill to operate there in the context of the complaints about smoke. I have a couple of other emails on this subject.

Lisa

Sent from my iPhone

Begin forwarded message:

From: s.22(1)
Date: March 24, 2019 at 8:33:50 PM PDT
To: <info@elisasteak.com>, <judy.ahola@toptable.ca>, <ricardo.ferreira@elisasteak.com>, <weekendnews@globaltv.com>, <CLRboyle@vancouver.ca>
Cc: <alert@ctv.ca>, <pforan@ctv.ca>, <marketplace@ctv.ca>, <consumermatters@globalnews.ca>, <film.office@vancouver.ca>, <CLRkirby-yung@vancouver.ca>, <CLRfry@vancouver.ca>, <CLRdegenova@vancouver.ca>, <CLRhardwick@vancouver.ca>, <CLRdominato@vancouver.ca>, <CLRbligh@vancouver.ca>, <CLRswanson@vancouver.ca>, <icentre@metrovanvancouver.org>
Subject: Smoky, Lung-Choking Chaos in Downtown Vancouver

Elisa Steakhouse (YALETOWN),

I am the s.22(1) resident of a Yaletown building located approximately s.22(1) your recently-opened establishment. Upon my tenancy at this address, I have been affected by not only the visual impact of wood smoke billowing from your establishment, but also the extreme sensual consequences of living next-door to a toxic polluter. **Some evenings I look from my balcony into a sea of wood smoke that conceals the view of the entire neighbourhood, the source of which originates from your restaurant** (I have photos and videos with which to substantiate this claim).

When exposed to large quantities of wood-burning smoke, I have allergic reactions that need to be medicated. Since you opened business in the middle of a densely populated urban neighbourhood, I have had to take medication daily to subside my symptoms from the actions of your restaurant.

This evening (like many) I went on my balcony and the first thing that wafted into my condo was a steady, overwhelming stream of wood smoke from your restaurant in industrial quantities. It made my eyes water, and flowed into every crevice of my home. I am simply one of the hundreds of residents in the area who succumb to this daily exposure.

I have called Metro Vancouver multiple times (the local emissions regulator) to inquire as to the legalities of your emissions within the City of Vancouver, and was advised they are closely monitoring your actions. **They suggested that it was possible for you to install "scrubbers" to minimize the impact of your wood-burning emissions. This has not been done. After this information (and multiple complaints) have been brought to you attention, why do you insist on poisoning your neighbours?**

Your emissions have become so disruptive to the neighbourhood It is to the point I cannot have a single window open in my home (on the s.22(1) , lest my belongings (especially my clothing), marinate in the acrid smell of your billowing wood smoke chimney. Your blatant disregard to the well-being of the community which you occupy (not to mention the environment) has left me at a loss for words.

There is a solution. You have chosen to ignore it. It is severely affecting your neighbours. Why?

I enjoy the scent of woodsmoke while camping, or while on the slopes of Whistler - because it is minimal and contained. **Your restaurant however, is unleashing a cacophony of toxic discharge into the middle of Yaletown**, and it leaves me wordless as to why you were granted a business license, and why you continue to choose ignoring suggestions from a municipal emissions specialist in how to minimize your impact.

Burning wood in this capacity carries a concerning carbon footprint. The fact you choose to ignore this significant issue is worrisome.

You are aware that installing scrubbers in your chimney will alleviate this invasive problem in an urban centre. Why do you continue to ignore the advice of regulatory professionals?

I would look forward to a reply at your earliest convenience. **You are burning a very “anti-green” fuel smack-dab in the heart of one of the world’s greenest cities.**

Sincerely,

s.22(1)

From: "Low, Dale" <Dale.Low@vancouver.ca>

To: "Edwards, Scott" <scott.edwards@vancouver.ca>

CC: "Hoang, Anthony" <Anthony.Hoang@vancouver.ca>

Date: 4/3/2019 12:50:00 PM

Subject: s.13(1), s.17(1) and 1109 Hamilton St

Attachments: ENG - SA - 1109 Hamilton St - Summary of Unapproved Construction - 2019-04-02.tr5

Hi Scott,

Thanks for the direction on s.13(1), s.17(1) and 1109 Hamilton St.

s.13(1), s.17(1)

1109 Hamilton St (Elisa, Patio that has unapproved structure)

- ☐ Anthony has prepared the attached summary of key dates and pictures, let us know if you have questions or need anything else
- ☐ Fees have been paid but no insurance, I spoke with Aaron Amos who is responsible for renewing the permit, he will email me the insurance. I told him that you and Bill were discussing how to proceed with the patio.

Cheers,

Dale Low

Street Activities

604-871-6300

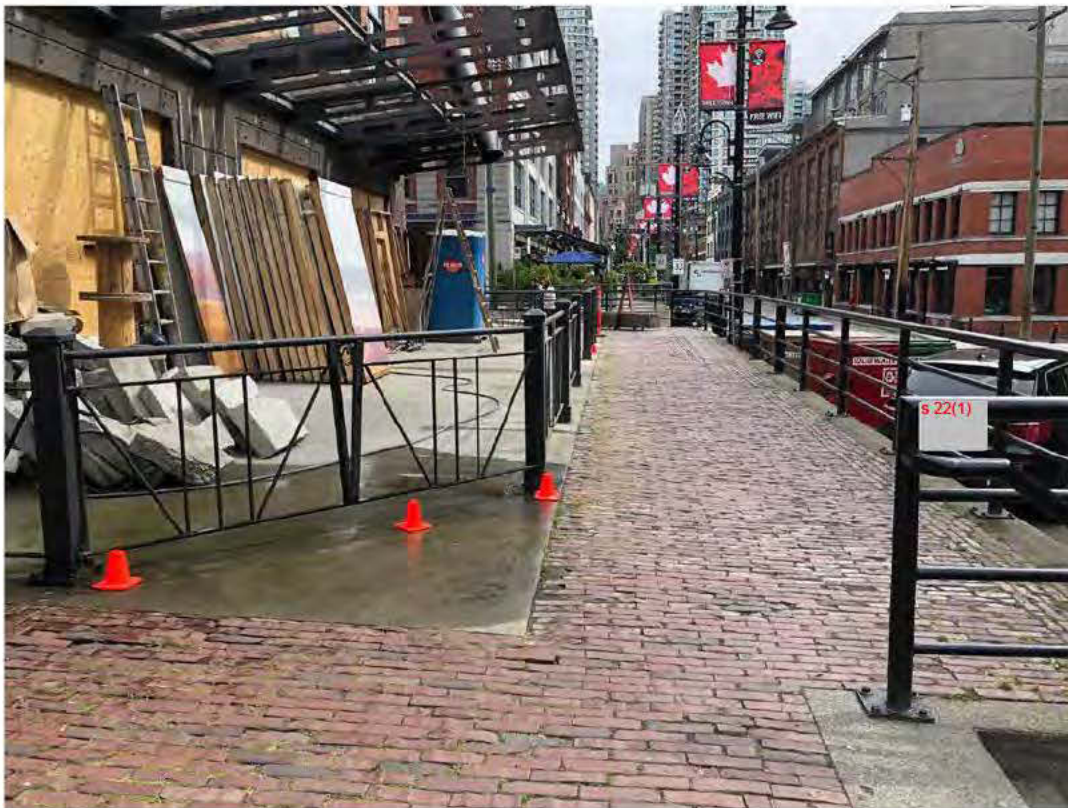
ENGINEERING SERVICES

Jerry W. Dobrovolny, P.Eng., MBA
City Engineer / General Manager

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