
TO: CITY MANAGER **DATE:** 2020 November 04

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06
Reference: LLA#20-02

SUBJECT: LIQUOR LICENCE APPLICATION #20-02
RESPONSE TO PUBLIC CONSULTATION PROCESS
THE STUDY PUBLIC HOUSE PUB
MBC 2250 SIMON FRASER UNIVERSITY (SEE ATTACHED SKETCHES)

PURPOSE: To provide Council with recommendations regarding the subject liquor primary liquor licence application.

RECOMMENDATIONS:

1. **THAT** Council support the requested amendments to the subject liquor primary liquor licence, as described in Sections 2.0 and 3.0 of this report.
2. **THAT** Council authorize the registration of a Section 219 Covenant, within 45 days of Council approval of this application, to record the establishment's maximum person capacity and liquor service hours as outlined in Section 2.0 of this report.
3. **THAT** a copy of this report be forwarded to the applicant, Edna Lizotte, 1620-1130 West Pender Street, Vancouver, BC V6E 4A4.
4. **THAT** following registration of the above noted Section 219 Covenant, a copy of this report be forwarded to the General Manager, Liquor and Cannabis Regulation Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, BC V8W 9J8.

REPORT**1.0 POLICY FRAMEWORK**

The subject application aligns with the following goals and sub-goals of the Corporate Strategic Plan:

A Connected Community

- Social connection - Enhance social connections throughout Burnaby.
- Partnership - Work collaboratively with businesses, educational institutions, associations, other communities, and governments.

An Inclusive Community

- Create a sense of community – Provide opportunities that encourage and welcome all community members and create a sense of belonging.

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A Dynamic Community

- Economic opportunity - Foster an environment that attracts new and supports existing jobs, businesses and industries.

2.0 BACKGROUND INFORMATION

On 2020 September 14, Council received a report on the subject liquor licence application for The Study Public House Pub (“the Pub”) at MBC 2250 Simon Fraser University (Sketches #1 and #2 *attached*). The subject application involves a request to increase the total occupancy load of the Pub (indoors and outdoors) and expand the existing licensed patio area. The existing liquor primary licence for the Pub (Licence No. 034621) permits interior occupancy to be 330 persons and the patio occupancy to be 60 persons (staff and patrons included). The subject application is requesting that interior occupancy be increased from 330 to 356 persons (staff and patrons included) and patio occupancy be increased from 60 to 160 persons (staff and patrons included).

Under the current license, the occupancy load on the existing patio area was limited at the time of application, as the constructed patio (359 m²) could only accommodate a single exit. As a result, the Pub has been operating with a licensed patio area of 96 m², using only the western portion of the total 359 m² patio space available. With the construction of the adjacent student union building nearing completion, a second exit can now be added to the patio to facilitate the proposed increase to the licensed patio area by 263 m² to accommodate 100 additional occupants. The current hours of liquor service for the Pub, inclusive of the indoor and outdoor patio areas, is 11:00 am to 1:00 am Monday to Saturday and 11:00 am to Midnight on Sunday. The hours of liquor service are not proposed to change.

The 2020 September 14 report to Council concluded that the requested expanded licensed patio area and increased occupancy load were supportable, subject to gathering public input and providing a subsequent report on the application.

3.0 DISCUSSION

- 3.1 In line with Provincial requirements for local governments to gather the views of nearby residents, as part of their assessment of liquor licence applications, written notice was sent out to property owners and residents within a 30 m distance of the subject site; advertisements were placed in two consecutive issues of The Burnaby Now newspaper; and signage was posted on the subject site, which invited respondents to submit written comments to the Planning and Building Department.
- 3.2 The Planning and Building Department did not receive any responses from property owners or residents in response to the public notification.
- 3.3 In the 2020 September 14 Council report, the proposed amendment was evaluated with respect to Council-adopted guidelines for Liquor Primary applications, and generally met those guidelines. Also in that report, comments were provided as per the LCRB requirements on the impact of noise on nearby residents and the impact on the community if the application were to be approved. It was noted that the application would not have a significant impact due to its extensive distance from nearby residences, if approved. In

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addition, the RCMP did not express objections to the proposed increase in capacity or the expanded licensed patio area of the Pub.

- 3.4 As noted, the establishment will also be required to comply with the Burnaby Noise or Sound Abatement Bylaw 1979, and it is further recommended that a Section 219 Covenant be registered on the property, within 45 days of Council approval of this application to record the establishment's maximum person capacity and liquor service hours to assist with noise mitigation.

4.0 CONCLUSION

Based on the information presented above, and as per the 2020 September 14 report to Council which assessed the application with respect to both Council-adopted guidelines for Liquor Licence Applications and LCRB criteria, staff recommend that Council support the expansion of the licensed patio area and increased occupancy for The Study Public House Pub, as discussed in Sections 2.0 and 3.0 of this report.

Staff recommend that a copy of this report be forwarded to the applicant, Edna Lizotte, 1620-1130 West Pender Street, Vancouver, BC V6E 4A4. Staff also recommend that, following registration of the above noted Section 219 Covenant, a copy of this report be forwarded to the General Manager, Liquor and Cannabis Regulation Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, BC V8W 9J8.

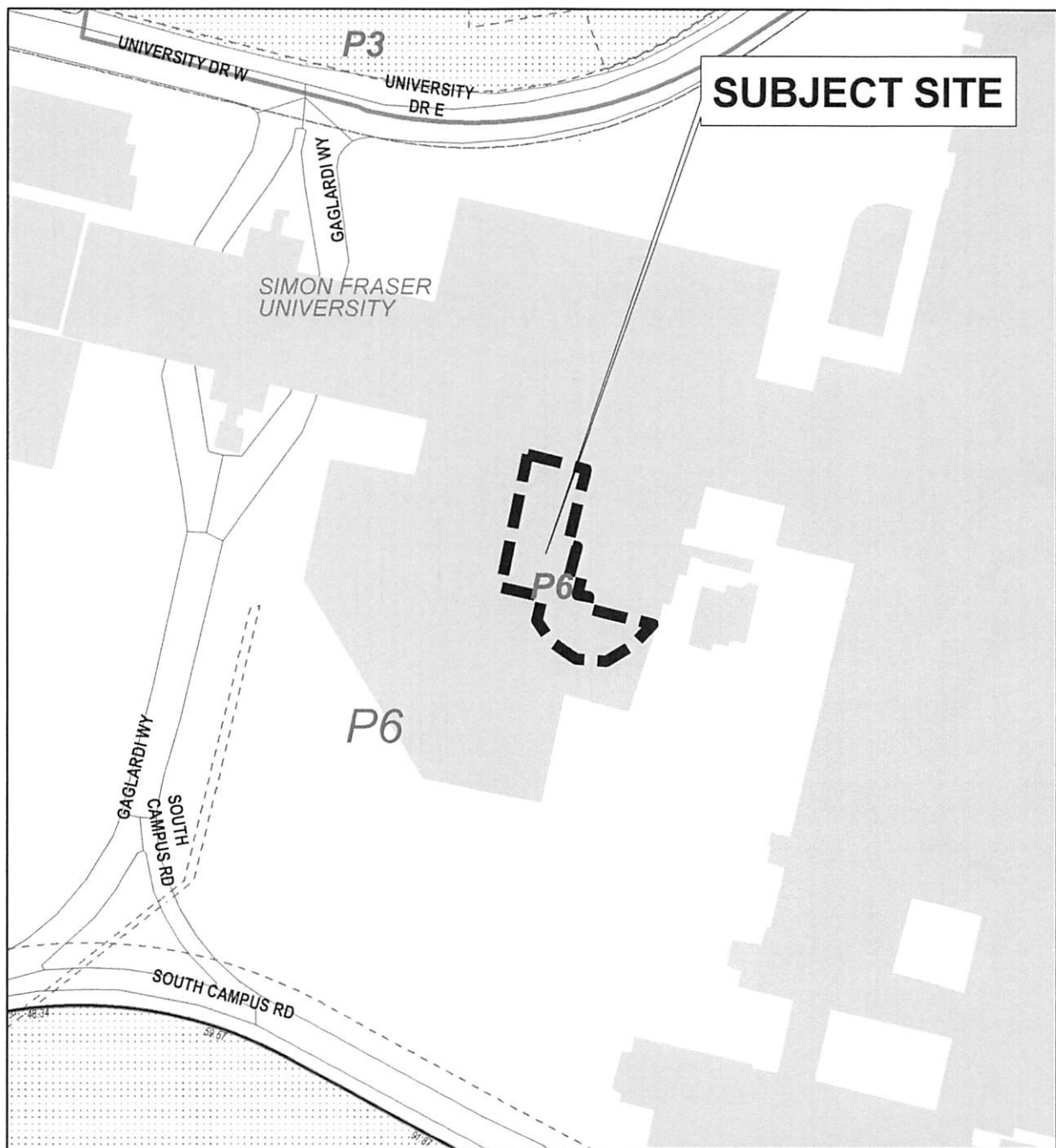


E.W. Kozak, Director
PLANNING AND BUILDING

MP:tn

Attachments

cc:	Director Finance	Director Public Safety and Community Services
	Director Corporate Services	Director Parks, Recreation and Cultural Services
	Director Engineering	Chief Licence Inspector
	Officer-in-Charge, RCMP, Burnaby Detachment	City Solicitor
	City Clerk	



PLANNING & BUILDING DEPARTMENT




Date:
MAY 29 2020

scale:
1:2,000

Drawn By:
JS

LIQUOR LICENCE APPLICATION #20-02
MBC 2250 SIMON FRASER UNIVERSITY

 Subject Site

Sketch #1

