
TO: CITY MANAGER **DATE:** 2020 Nov 18

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06
Reference: LLA#20-03

SUBJECT: LIQUOR LICENCE APPLICATION #20-03
SFU STADIUM, PLAZA AND WEST GYM
8888 UNIVERSITY DRIVE (SEE *ATTACHED* SKETCHES #1 AND #2)

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

RECOMMENDATIONS:

1. **THAT** Council authorize staff to gather public input regarding the addition of three liquor service areas to an existing liquor primary licence at 8888 University Drive, (see *attached* Sketches #1 and #2), as described in Section 4.1 of this report.
2. **THAT** 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; and to the applicant, Edna Lizotte, 1620-1130 West Pender Street, Vancouver, BC V6E 4A4.

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.

A Dynamic Community

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

To: City Manager
From: Director Planning and Building
Re: Liquor Licence Application #20-03
SFU Stadium, Plaza and West Gym

2020 November 18Page 2

2.0 BACKGROUND INFORMATION

- 2.1 This Department has received an application to add three additional liquor service areas and increase the capacity of an existing Liquor Primary Licence (Licence No. 035321), which licenses nine liquor service areas across the Simon Fraser University campus at 8888 University Drive. The application is requesting to licence a new stadium seating area, an associated mezzanine plaza and the entirety of the west gymnasium. The three areas are adjacent to one another and located directly north and northwest of Terry Fox Field.
- 2.2 The Liquor and Cannabis Regulation Branch (LCRB), as part of its assessment process for applications to increase the persons capacity at liquor primary establishments, requests that local government provide comment on such applications. If a local government opts to provide comment, the LCRB requires that local government gather public input for the community near the proposed establishment.
- 2.3 On 2003 May 05, Council adopted recommendations for processing procedures and guidelines for liquor licence applications, in which Council would continue to receive reports on applications for new or amended liquor primary licences that propose a permanent extension of hours, an increase in person capacity, or the addition of a patio. The only exception to this procedure is for liquor primary and manufacturer establishments that apply for a temporary outdoor expanded service area to support physical distancing requirements during the COVID-19 Global Pandemic. Council granted pre-approval to cover these temporary outdoor use applications on 2020 June 1.

3.0 NEIGHBOURHOOD CONTEXT

The stadium, plaza and west gymnasium are located within the University Enclave area of the Simon Fraser University Community Plan. Specifically, these spaces are located directly north and northwest from Terry Fox Field, on the west side of the university campus. The larger property on which the subject areas are located is split-zoned P6 Regional Institutional District, P3 Park and Public Use District, P11/P11e SFU Neighbourhood District and C3f General Commercial District. To the north of the stadium seating area is the Lorne Davies Complex which includes sport and recreational facilities including the west gymnasium to the northwest. North of the Lorne Davies Complex are educational buildings and the West Mall Centre parkade. To the south, beyond Terry Fox Field, is Gaglardi Way. To the east and northeast is Gaglardi Way and the Gaglardi Way bus exchange. Directly to the west is the open plaza, connecting the stadium seating area to the west gym inside the Lorne Davies Complex. Beyond to the west are student residence apartment buildings.

4.0 SUBJECT APPLICATION

- 4.1 The subject application involves a request to add three new licensed areas and increased capacity to the existing liquor primary licence (Licence No. 035321). The existing licence

To: City Manager
From: Director Planning and Building
Re: Liquor Licence Application #20-03
SFU Stadium, Plaza and West Gym

2020 November 18Page 3

permits liquor service in nine different areas across the Simon Fraser University campus, totalling 2,041 permitted occupants. The subject application proposes to add the stadium seating area, mezzanine plaza and neighboring west gymnasium as liquor service areas, increasing the total occupant load for Licence No. 035321 from 2,041 to 5,616 persons. The stadium seating area and plaza would account for an increased capacity of 1,875 persons and the west gymnasium would account for the remaining 1,700 persons. Approved under PPA#18-00055, the SFU stadium seating area is currently under construction. The current liquor primary hours of 11:00 am – 1:00 am Monday to Saturday and 11:00 am to Midnight on Sundays apply to all licenced areas under Licence No. 035321 and are not proposed to change.

The following is an assessment of the proposal's consistency with pertinent Council adopted guidelines:

(a) *Observance of a sufficient distance from, or physical separation from:*

- *Existing liquor primary establishments*

The Simon Fraser University campus contains multiple liquor service areas which are licensed under Liquor Primary Licence No. 035321. Of the nine licensed areas covered under the existing licence, each area is located within a separate building. The closest liquor service areas in proximity to the stadium seating area, plaza and west gymnasium are the Chancellor's Gymnasium and West Mall Centre Terrace. The Chancellor's Gymnasium is located directly adjacent from the west gym, while the West Mall Centre Terrace is located approximately 100 m away. In addition, there is a liquor primary establishment on campus, The Study Public House pub, which is licensed separately (Licence No. 034621) and located approximately 215 m from the subject stadium seating area.

- *Residential uses*

Student residences on the west side of the Simon Fraser University campus are the nearest residential uses to the stadium seating area, plaza and west gym. The residence in closest proximity is the Shell House building, located approximately 30 m away from the west gym and plaza entrances. There is an existing concrete walkway providing direct access from the Shell House residence to the outdoor plaza where access to the Lorne Davies Complex (including the West Gym and stadium seating area) is available.

- *Schools*

The nearest elementary school (University Highlands Elementary) is located approximately 0.9 km (0.56 miles) to the east.

- *Care facilities*

The nearest child care facility is located approximately 0.9 km (0.56 miles) to the east.

To: City Manager
From: Director Planning and Building
Re: Liquor Licence Application #20-03
SFU Stadium, Plaza and West Gym

2020 November 18Page 4

- *Other uses such as gaming facilities, cyber centres, amusement arcades and billiard halls*

The Grand Villa Casino is located more than 10 km (2.49 miles) to the southwest. A public hall is located approximately 4.2 km (2.6 miles) to the west along Hastings Street.

- (b) *Nature of proposed establishment (e.g. entertainment, outdoor patio, hours and person capacity).*

The proposed use of the stadium seating area, plaza and west gymnasium for events is an acceptable use for this location in the sports and recreation hub of Simon Fraser University campus. Located directly north and northwest of Terry Fox Field, the proposed licensed areas are linked to the university's primary athletic field and gymnasium where spectators convene to watch sporting events such as soccer, lacrosse, and football at the outdoor stadium and basketball, volleyball or wrestling inside the west gymnasium.

In its current state, the outdoor stadium at Terry Fox Field is comprised of portable bleachers and a hillside for spectators to enjoy sporting events. However, approved under PPA#18-00055, the SFU stadium seating area currently under construction will formalize this space with seating for 1,800 spectators, a canopy roof, accessible concourse, and broadcast facilities. The project aims to increase student participation and improve the vibrancy of the university campus. The west gymnasium is approximately 1,115 m² (12,000 ft²) and seats 1,500 spectators. Beyond the sporting events hosted in this venue, the indoor gymnasium periodically accommodates larger non-sporting events and gatherings. The mezzanine plaza joins the west gymnasium to the outdoor stadium seating area.

The applicant would like to add the stadium seating area, mezzanine plaza and neighboring west gymnasium as liquor service areas, increasing the total occupant load for Licence No. 035321 from 2,041 to 5,616 persons. The stadium seating area and plaza would account for an increased capacity of 1,875 persons and the west gymnasium would account for the remaining 1700 persons. The hours of liquor service for all areas currently licensed under Liquor Primary License No. 035321 are 11:00 am – 1:00 am Monday to Saturday and 11:00 am to Midnight on Sunday, and are not proposed to change.

The LCRB has noted that because a single licence covers multiple liquor service areas, the approved hours of sale for the existing licence apply to all of the associated licensed areas, without exception or unique service hours for individual spaces covered under the existing licence. The Planning Department does not feel it necessary to alter the hours of sale for all of the existing liquor service areas, as they have a strong track record of causing minimal negative impact to the community. The applicant has further noted that it would be highly unlikely for outdoor sporting events and gatherings at the stadium to

To: City Manager
From: Director Planning and Building
Re: Liquor Licence Application #20-03
SFU Stadium, Plaza and West Gym

2020 November 18Page 5

continue into the far extent of the permitted service hours. In light of this, the proposed hours of liquor service are considered by this Department to be generally supportable, subject to public consultation. It should also be noted that the proposed licensed areas would be subject to the requirements of the Burnaby Noise or Sound Abatement Bylaw 1979.

Should the recommended capacity increase be supported by Council, following public consultation, a Section 219 Covenant would be registered in the Land Titles Office to ensure that person capacity and liquor service hours are applied.

(c) Satisfaction of all parking requirements on site

Sufficient off-street parking is provided on-site in a nearby parkade.

(d) Safe and convenient access for vehicular traffic to the site, as well as safe access for pedestrians to the liquor licence establishment

Safe and convenient access for vehicular traffic to access the stadium seating area, plaza and west gym is provided from Gaglardi Way and the West Mall Parkade. Pedestrians can access these areas conveniently through the Lorne Davies Complex.

(e) Good proximity (within 250 meters) of public transit

The stadium seating area, plaza and west gym are located conveniently within approximately 150 meters from a major bus exchange on Gaglardi Way.

In general, the proposed development is consistent with the Council-adopted guidelines for assessing applications for liquor primary licences.

4.2 The LCRB, as part of its assessment process for liquor primary liquor licence applications, requests that local government provide comments on the following:

(a) The impact of noise on nearby residents

Given that the proposed licensed areas are currently used for sporting events and gatherings which are similar in nature to the events which will occur going forward, and that sporting events do not typically continue into the late hours of the evening, staff do not anticipate the recommended capacity increase or proposed hours of liquor service to have potential noise impacts beyond what would otherwise be expected in this area of the campus devoted to sports and recreation.

While the proposed licensed areas are located near student residences, particularly the Shell House building, the addition of the stadium seating area and the licensing of the proposed areas more generally, is intended to create an animated and vibrant community

To: City Manager
From: Director Planning and Building
Re: Liquor Licence Application #20-03
SFU Stadium, Plaza and West Gym

2020 November 18Page 6

for students and residents of the university community. As such, it is expected that this recreational area may be associated with somewhat higher noise levels during evening sporting events. The proposed licensed areas would be subject to the requirements of the Burnaby Noise or Sound Abatement Bylaw 1979.

(b) The impact on the community if the application is approved

The recommended liquor service areas are recognized as a suitable component of the university campus. Given the university context of the proposed licensed areas, where vibrancy and animation is expected and encouraged, it is not anticipated that the additional licensed areas would have a significant impact on the community, if approved.

In response to this application, input was solicited from relevant City Departments, including the RCMP Burnaby Detachment. The RCMP raised questions regarding measures that would be put in place with respect to security, traffic control and general safety to mitigate any additional risks associated with increased liquor consumption at university events. The applicant noted that they have extensive experience hosting events at Terry Fox Field and within gymnasiums in the past, including events where alcohol was served under special permits or permanent licences. The applicant noted that in these instances, and for future events, additional security will be put in place through the university's Safety and Risk Services office based on projected attendance numbers and event type. In addition, the applicant noted that the amount of traffic control staff, parking lot attendants and bus service would be expanded as necessary through coordination with the Coast Mountain Bus Company. The RCMP was comfortable with the applicant's proposed safety measures.

It is not anticipated that approving the application would result in negative impacts to the community as the proposed licensed areas would be in locations which have been used historically for large events, gatherings and spectating. The service areas are accessible by vehicular transport and bus service which is readily available and within an appropriate walking distance. As such, the proposed licensed areas are generally well-suited to the surrounding context.

It is noted that the LCRB also requires that local government gather public input for the community within the immediate vicinity of the establishment. It is therefore recommended that staff gather public input from property owners and residents, similar to a Public Hearing notification process. The gathering of public input would include: letters being sent to all property owners and occupants within 30 metres of the site, inviting written comments be sent to the Planning Department, notification in two consecutive issues of The Burnaby Now newspaper, and the placement of signs in front of all facilities where these changes are proposed.

4.3 In summary, given the proximity of the proposed liquor service areas to parking and public transit, and the distance of these areas from the nearest school or child care

To: City Manager
From: Director Planning and Building
Re: Liquor Licence Application #20-03
SFU Stadium, Plaza and West Gym

2020 November 18Page 7

facility, the proposed areas for licensing and subsequent capacity increase generally meet the Council-adopted guidelines for assessing liquor licence establishments. In addition, given the unique context of a university campus, the applicant's history of hosting large-scale events and the anticipated minimal impact on the community, the recommendations are considered supportable, subject to staff gathering public input.

5.0 CONCLUSION

Based on the information presented above, staff recommend that Council support the recommended additional licensed areas at Simon Fraser University, as discussed in Section 4.1 of this report, subject to staff gathering public input. Once this input has been gathered from the public, staff will submit a subsequent report to Council responding to any comments of nearby residents. Staff also recommend that 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; and to the applicant, Edna Lizotte, 1620-1130 West Pender Street, Vancouver, BC V6E 4A4.

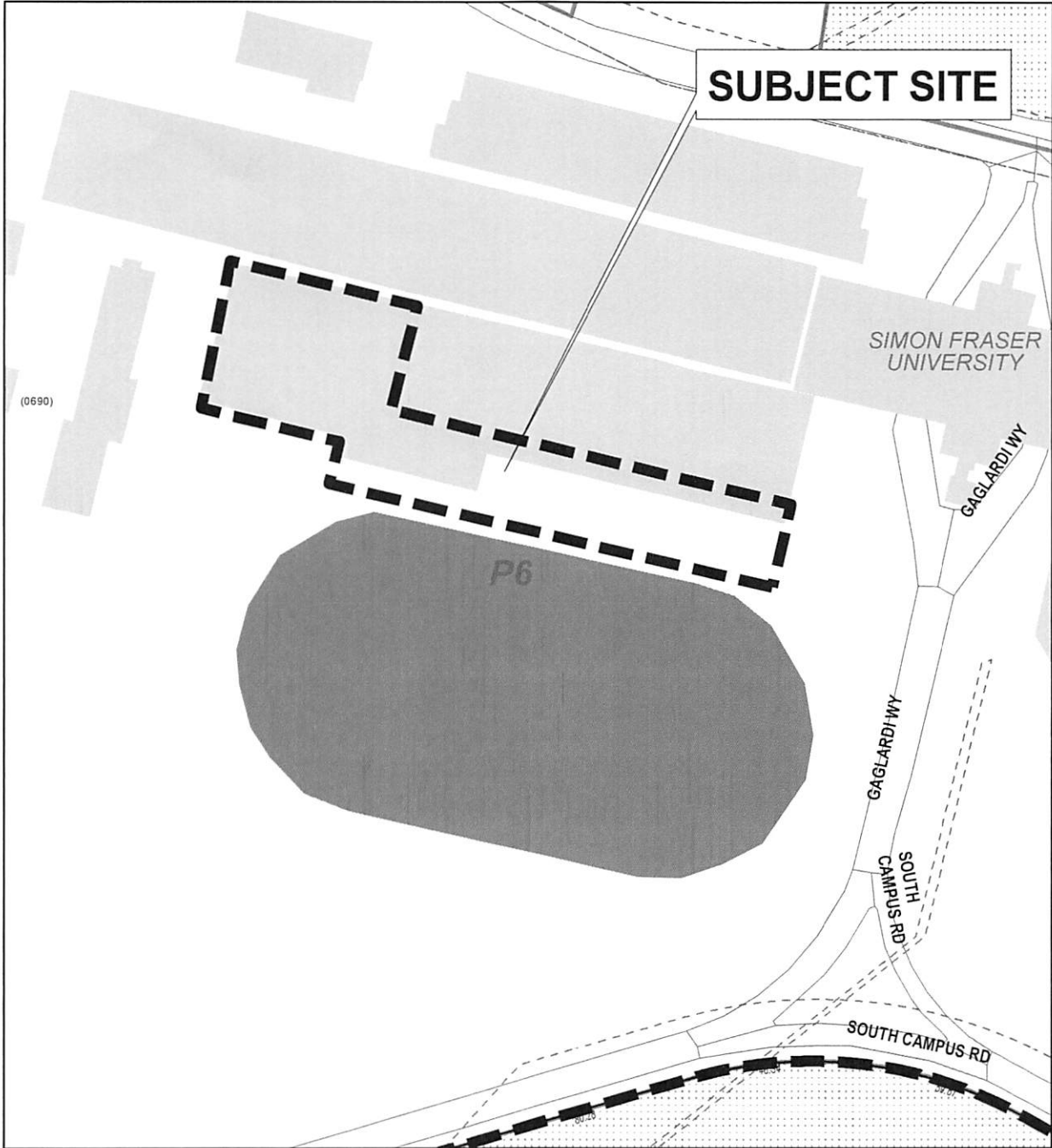


E. W. Kozak, Director
PLANNING AND BUILDING

MP:tn

Attachments

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



PLANNING & BUILDING DEPARTMENT




Date: MAY 29 2020

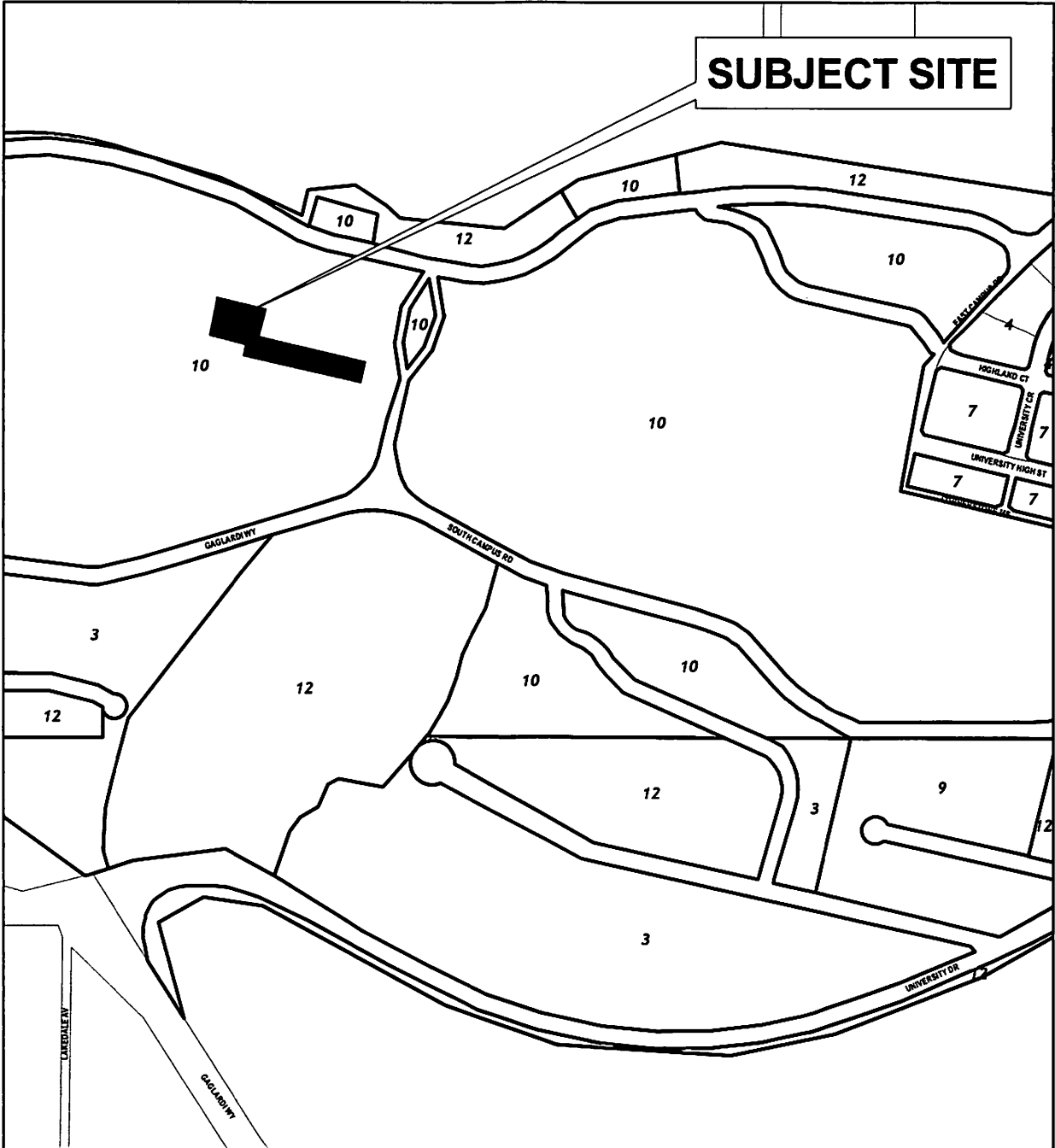
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LIQUOR LICENCE APPLICATION #20-03
8888 UNIVERSITY DRIVE

 Subject Site

Sketch #1



**Simon Fraser University
Community Plan**



PLANNING & BUILDING DEPARTMENT

- 3** Medium Density Multiple Family Residential
- 4** High Density Multiple Family Residential
- 7** High Density Mixed Use
- 9** Industrial
- 10** Institutional
- 12** Park and Public Use

