
TO: ACTING CITY MANAGER **DATE:** 2021 August 25

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06
Reference: LLA#21-01

SUBJECT: LIQUOR LICENCE APPLICATION #21-01
STUDIO BREWING
5792 BERESFORD STREET (SEE SKETCHES #1 AND #2 ATTACHED)

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

RECOMMENDATIONS:

1. **THAT** Council authorize staff to gather public input regarding a request to increase person capacity at a brewery lounge within an existing manufacturer's (brewery) licence at 5792 Beresford Street (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, Andrew Somers, 3938 West 35th Ave, Vancouver, BC, V6N 2P2.

REPORT**1.0 POLICY SECTION**

The subject liquor licence application aligns with the following City policies: Corporate Strategic Plan (2017), Official Community Plan (1998), Economic Development Strategy (2007), and Social Sustainability Strategy (2011).

2.0 BACKGROUND INFORMATION

- 2.1 On 2020 November 09, Council adopted a brewery lounge endorsement for Studio Brewing at 5792 Beresford Street (see *attached* Sketches #1 and #2). The licenced establishment has an approximate lounge area of 52.95 m² (570 sq. ft.) and an adjoining staff and circulation area of 22.86 m² (75 sq. ft.). The establishment currently has a maximum licensed person capacity of 48, including patrons and staff. The existing hours of operation for the lounge are 11:00 a.m. to 2:00 a.m., seven days a week.
- 2.2 This Department has now received an application requesting to increase the person capacity of the establishment from 48 to 54 persons (including patrons and staff).

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- 2.3 The Liquor and Cannabis Regulation Branch (LCRB), as part of its assessment process for applications to increase the person capacity of a service area 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.
- 2.4 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 temporary expanded service areas as part of liquor primary and manufacturer establishments in support of physical distancing during the COVID-19 Global Pandemic. Council granted pre-approval to cover these temporary outdoor use applications on 2020 June 01.
- 2.5 Lounge endorsements, which have only been permitted by the LCRB since 2013 and are considered accessory to a manufacturing use, are not specifically referenced in the 2003 Council adopted procedures and guidelines. Nevertheless, it is considered appropriate that staff evaluate the proposed increase in person capacity for this existing brewery lounge against pertinent Council adopted guidelines for evaluating liquor primary applications. It is also considered appropriate for staff to process this application for Council consideration in the same manner as a liquor primary application, which involves the applicant submitting a liquor licence application and associated fees to the Planning and Building Department.

3.0 NEIGHBOURHOOD CONTEXT

Studio Brewing is located at 5792 Beresford Street. The subject property, zoned M2 General Industrial District, is located within the Royal Oak Urban Village Plan area and is designated for Medium Density Multiple Family Residential use. The property is improved with a two-storey industrial building. Properties surrounding the subject property to the west, east and south are also zoned M2 General Industrial District and are improved with one and two storey industrial buildings. To the north of the property, across Beresford Street, is the Expo Skytrain guideway.

4.0 SUBJECT APPLICATION

- 4.1 On 2020 November 09, Council adopted a brewery lounge endorsement for Studio Brewing on the subject property. Studio Brewing currently occupies a total area of 307.64 m² (3,311.45 sq. ft.) and has an accessory retail / tasting room with an area of 76.9 m² (827.86 sq. ft.), approved under PPA #18-00180. The licensed establishment, including the patron seating area and staff service area, has a maximum person capacity of 48 persons, including patrons and staff. The current hours of operation for the lounge are 11:00 a.m. to 2:00 a.m., seven days a week. The subject application involves a request to amend the liquor license to increase the maximum person capacity by six persons (from 48 persons to 54 persons), including patrons and staff. The liquor service hours are not proposed to change.

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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 two closest liquor primary establishments are approximately 0.6 km (0.37 miles) from the establishment: the Great Bear Pub located at #170-5665 Kingsway and V-Show Karaoke at 6681 Macpherson Avenue. Another Karaoke business (Solo Karaoke), located approximately 0.7 km (0.43 miles) away at 6462 Kingsway, is currently requesting zoning for a liquor primary licence as part of Rezoning Reference #20-24, which is an active rezoning bylaw amendment application currently at Second Reading.

- *Residential uses*

The nearest properties with single and two-family homes, zoned R5 Residential District, are located approximately 280 m (920 ft.) to the south, and are separated by two streets, an industrial building, and several low rise apartment buildings. A four-storey apartment building is located approximately 130 m (425 ft.) to the south, and is separated from the brewery by an industrial building and street. A three to four-storey apartment development is located approximately 130 m (425 ft.) to the west, and is separated by industrial buildings and a street.

- *Schools*

The nearest secondary school (Burnaby South Secondary) is located approximately 0.4 km (0.25 miles) to the southwest. Windsor Elementary to the northeast and Clinton Elementary to the south are located approximately 0.5 km (0.31 miles) from the establishment.

- *Care facilities*

The nearest child care facility, Angels Playhouse, is located approximately 260 m (853 ft.) to the west.

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

The Grand Villa Casino is located more than 4 km (2.49 miles) to the northwest. Wanyoo eSports cyber centre is located approximately 1.2 km (0.74 miles) to the northwest.

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

The brewery is a permitted use in the M2 General Industrial District. The applicant is requesting an increase to the maximum person capacity of the licenced establishment,

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from 48 to 54 persons (including staff and patrons). Should the new person capacity be supported by Council, following public consultation, a Section 219 Covenant would be registered in the Land Titles Office to ensure that the new person capacity is applied.

(c) *Satisfaction of all parking requirements on site*

Sufficient off-street parking is provided. As part of PPA #18-00180, four permanent off-street parking spaces were required and provided for the brewery and lounge. Three of the parking stalls are located on the subject property, and one is located on the same block at 5742 Beresford Street.

(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 vehicular access to the site is provided from Beresford Street on a permanent basis. It is noted that the on-site parking area is temporarily operating as an expanded service area patio as part of the City's Active Sidewalks Program and in support of physical distancing during the COVID-19 Global Pandemic. Safe pedestrian access is provided to the north of the property, across Beresford Street by way of the BC Parkway, which is a multi-use path that parallels the Skytrain.

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

The brewery is located within 400 metres (1312 ft.) of a bus stop on Antrim Avenue and within 660 metres (2165 ft.) of the Royal Oak Skytrain Station.

In general, the lounge and the proposed increase of person capacity, from 48 to 54 persons, is in line with the pertinent Council-adopted guidelines.

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

(a) *The impact of noise on nearby residents*

Given the brewery's location within a transitional industrial area, as well as orientation towards the Skytrain guideway and away from the residential neighborhood to the south, staff do not anticipate the proposed increase in person capacity to have potential noise impacts. Furthermore, it is noted that the lounge establishment is subject to the Burnaby Noise and Sound Abatement Bylaw.

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

Given the limited size of the lounge area within the context of the larger brewery, and the modest proposed increase in person capacity from 48 to 54 persons, this application is not expected to have a significant impact on the community, if approved.

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In response to this application, input has been solicited from relevant City Departments, including the RCMP Burnaby Detachment. Any input received on the proposed increase in person capacity will be incorporated into a subsequent report to Council.

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 local newspaper, and the placement of a sign at the site.

- 4.3 In summary, the proposed person capacity increase for the Studio Brewing lounge generally meets the Council-adopted guidelines for assessing liquor licence establishments. In addition, given the proposed lounge's modest size, orientation away from residential uses, proximity to the Royal Oak Skytrain Station, and the expected minimal noise impact and impact on the community, the proposed person capacity is considered supportable, subject to staff gathering public input.

5.0 CONCLUSION

Based on the information presented above, staff recommend that Council support the recommended person capacity increase for Studio Brewing, 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, Andrew Somers, 3938 35th Ave W, Vancouver, BC, V6N 2P2.



E.W. Kozak, Director
PLANNING AND BUILDING

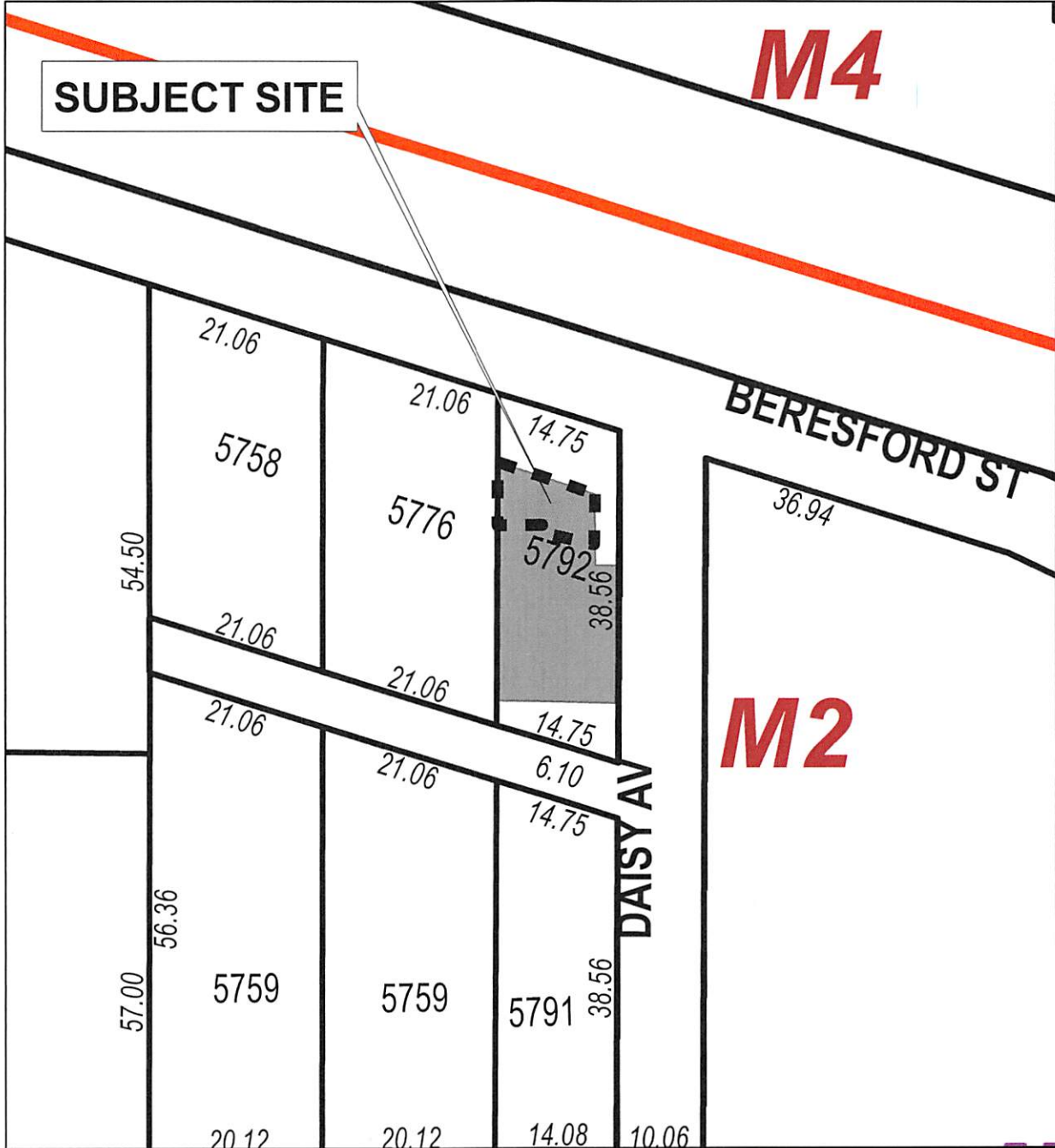
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Attachments

cc: Officer-in-Charge, RCMP, Burnaby Detachment
Chief Licence Inspector
City Solicitor
City Clerk

SUBJECT SITE

M4



PLANNING & BUILDING DEPARTMENT



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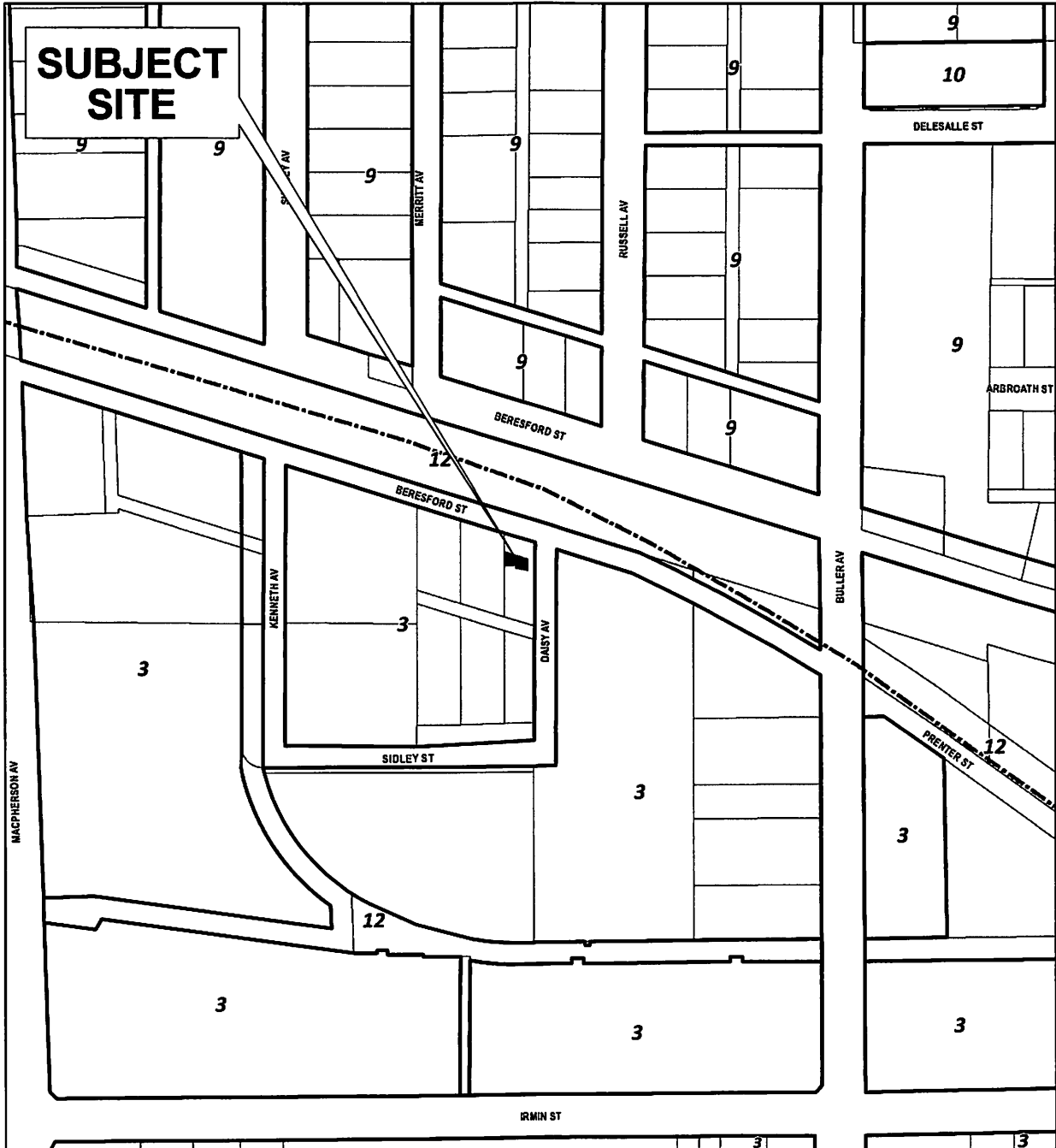
LIQUOR LICENSE APPLICATION #21-01
5792 BERESFORD STREET



Subject Site



Subject Building Footprint



**Royal Oak Community Plan
Land Use**



PLANNING & BUILDING DEPARTMENT

General Land Use Designation Key

- 1** Single and Two Family Residential
- 3** Medium Density Multiple Family Residential
- 5** Commercial
- 6** Medium Density Mixed Use
- 9** Industrial
- 10** Institutional
- 12** Park and Public Use
- 20** Industrial and Commercial Mixed Use

